



## Substitute Teachers

Policy Number: 5.701	Monitoring Review: Annually
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Approved by: Lizzette Gonzalez Reynolds, Commissioner	

Substitute teachers are those teachers used to replace teachers on leave or to fill temporary vacancies.<sup>1,2</sup> Substitute teachers may be employed and paid directly by the Achievement School District (ASD) or by a third-party employer through an agreement between such third-party employer and the ASD.

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

### APPLICATION/QUALIFICATIONS

Criminal history record checks and fingerprinting of applicants for substitute teaching are required.<sup>3</sup> Applicants with revoked licenses or certificates according to the Department of Education shall not be hired.<sup>4</sup> Qualifications for substitute teachers shall be determined by the Director of Schools in compliance with state laws and regulations.

### COMPENSATION

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

### CERTIFICATION

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

<sup>1</sup> TRR/MS 0520-01-02-.04(5)

<sup>2</sup> Tenn. Code Ann. § 49-5-709

<sup>3</sup> Tenn. Code Ann. § 49-5-413(a)(2)

<sup>4</sup> Tenn. Code Ann. § 49-2-203(a)(15)

<sup>5</sup> Tenn. Code Ann. § 49-3-312

<sup>6</sup> Tenn. Code Ann. § 49-3-312; TRR/MS 0520-01-02-.04(5)(b)

Retired teachers may substitute one-hundred twenty (120) days per year without loss of retirement benefits<sup>1</sup> and may substitute for additional days if the superintendent certifies in writing to the Division of Retirement that no other qualified personnel are available to substitute teach.<sup>7</sup>

### **EMERGENCY NEEDS**

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

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

### **TRAINING AND ORIENTATION**

The superintendent shall be responsible for ensuring that there are appropriate training and development programs for substitute teachers.

### **RESPONSIBILITIES**

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

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

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

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

### **ADDITIONAL EMPLOYMENT OPTION FOR RETIREES<sup>8</sup>**

Retired members of TCRS or a similar system may be offered reemployment for up to one (1) year as a kindergarten through twelfth (K-12) grade teacher, substitute teacher, or bus driver under the following conditions:

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<sup>7</sup> Tenn. Code Ann. § 8-36-805

<sup>7</sup> Tenn. Code Ann. § 8-36-822; Public Acts of 2023, Chapter No. 42