

**SUBSTITUTES
(PROFESSIONAL AND SUPPORT STAFF)**

FILE: GCG

TITLE: Substitutes

POLICY:

- (1) Approval of Substitutes. A list of approved substitutes, whether administered by the district or by an independent contractor, shall be maintained based on an individual substitute's satisfactory performance. However, names of approved substitutes may be automatically dropped from the approved list when one (1) or more of the following occurs:
 - (a) certificate or professional license expiration (when applicable);
 - (b) no earnings during the fiscal year;
 - (c) unsatisfactory performance;
 - (d) pending criminal charges based on arrest record;
 - (e) repeated refusal to accept substitute positions;
 - (f) unsatisfactory evaluation by a principal or other administrator;
 - (g) unacceptable fingerprinting screening report;
 - (h) resignation; and/or
 - (i) fingerprint data not retained because fingerprints have exceeded the required five (5) year retention period.
- (2) Substitutes for Instructional Positions. In order to qualify as an instructional substitute, an individual must meet the following criteria:
 - (a) be at least (eighteen) 18 years of age;
 - (b) have attended a substitute teacher orientation;
 - (c) have verification of a high school diploma and evidence of an earned;
 - (d) have earned an associate's degree or have completed a minimum of sixty (60) credit hours from an accredited higher education institution (this requirement will not apply to substitute teachers who have been providing services to the district prior to the revision date of this policy);
 - (e) have filed a complete set of fingerprints for processing;
 - (f) have been approved for employment by an administrator in Employment Services; and

- (g) have all required forms on file with Employment Services.
- (3) Substitutes for Non-instructional Positions. In order to qualify as a non-instructional substitute, an individual must complete the following:
- (a) submit a set of fingerprints for a state-wide and national Federal Bureau of Investigation (“FBI”) criminal history background check in accordance with Sections 1012.32 and 1012.465, Florida Statutes;
 - (b) have all required forms on file with Human Resources; and
 - (c) have been approved for employment by an administrator in Human Resources.
- (4) Compensation. The compensation for individuals employed on a substitute basis shall be established in the salary schedule adopted annually by The School Board of Orange County, Florida (“Board”). Compensation shall be made only for days during which services are actually rendered.
- (5) Days in the Classroom for Substitutes in Instructional Positions. The number of days that a substitute may teach in the same classroom depends upon the eligibility and requirements identified below:

Days in Classroom	Requirements
1-10	Pay per schedule in accordance with Section (4) of this policy.
11-20	Starting with the eleventh (11 th) consecutive day in the same position, a substitute with a bachelor’s degree, or higher, will be paid based on the instructional salary schedule established in the Contract between The School Board of Orange County, Florida and The Orange County Classroom Teachers Association, Inc., exclusive of benefits.
21 or more	Under special circumstances, a substitute with a bachelor’s degree, or higher, may serve in an assignment over twenty (20) days. If the substitute is eligible for certification or currently holds a valid Florida certificate, the substitute may teach in a temporary assignment over twenty (20) days and can then be placed on a temporary contract. Substitutes are eligible for such assignments if they currently hold a valid Florida teaching certificate or are eligible for a teaching certificate, have an official transcript on file in the Certification Office of Employment Services, and are recommended by the applicable principal. These substitutes are paid on the regular salary schedule established for full time regular teachers.

- (6) Substitute Teacher In-service Class Requirement. A substitute with a bachelor's degree, or higher, may be eligible to waive the Substitute Teacher In-service Class requirement for extra pay upon providing evidence of three (3) consecutive years of successful teaching experience. It will be the responsibility of the individual to request a waiver in writing from the district and provide the appropriate documentation and final assessments for verification to the district.
- (7) Substitutes shall not be eligible for fringe benefits provided to Board employees.
- (8) Florida Retirement System.
 - (a) Any member of the Florida Retirement System ("FRS") who has retired may not be reemployed with an employer participating in FRS until such person has been retired for six (6) calendar months. The person will suffer the loss of monthly pension benefits for each month worked during the seventh (7th) through twelfth (12th) months of retirement. Monthly pension benefits lost are not recoverable.
 - (b) Any individual retired under FRS, except under disability provisions, may be employed by any private employer or any public employer that does not participate in the FRS.
- (9) Independent Contractors.
 - (a) The Board may, at its option, retain independent contractors to provide part-time and substitute professional and support staff to the district.
 - (b) Employees of independent contractors shall be solely retained by such independent contractor and shall be the employees of such independent contractor and in no way, either directly or indirectly, are considered employees or agents of the Board.
 - (c) Without limitation, independent contractors shall be obligated to provide all salaries, payroll taxes, withholding, insurance, workers compensation coverage, and all other benefits of any kind, as required by law and pursuant to the independent contractor's agreement with such employees.
 - (d) The independent contractor shall comply with all requirements and obligations as set forth in its written agreement with the Board. The relationship by and between the Board and any approved independent contractor shall be deemed an independent contractor relationship and shall not be deemed an agency, employment, joint venture, or partnership relationship with the Board.

SPECIFIC AUTHORITY: Sections 121.091; 238.181; 1001.42; 1001.43; 1011.60;
1012.32; 1012.35; 1012.39; and 1012.465, Florida Statutes

ADOPTED: 04/26/94

REVISED: 06/26/12; 05/28/13; 05/10/16