

**Board District Policy Manual
Tahoe Truckee Unified School District
CSBA Policy Management Console**

Regulation 4121: Temporary/Substitute Personnel

Status: ADOPTED

Original Adopted Date: 01/23/2013 | Last Revised Date: 06/19/2013

Qualifications

Any candidate recommended by the Superintendent Chief Learning Officer or designee for a substitute or temporary position requiring certification qualifications shall possess the appropriate credential or permit authorizing ~~his/her~~ employment in such position and shall meet all other requirements of law for certificated positions. (Education Code- 44830)

The district shall not initially hire a certificated person on a substitute or temporary basis in a capacity designated in ~~his/her~~ **the person's** credential unless ~~he/she~~ **the person** has demonstrated basic skills proficiency in reading, writing, and mathematics pursuant to Education Code- 44252.5, ~~unless~~ **is** exempted by law. (Education Code- 44830)

A noncredentialed person shall not substitute for any special education certificated position. The Superintendent ~~Chief Learning Officer~~ or designee shall recruit and maintain lists of appropriately credentialed substitute teachers for special education positions. ~~He/she~~ **The Superintendent Chief Learning Officer or designee** shall contact institutes of higher education with approved special education programs for possible recommendations of appropriately credentialed special education personnel. (Education Code- 56060,- 56063)

Notifications

~~At the time of initial employment during each school year~~

Before starting work, each new temporary employee shall receive a written statement indicating ~~his/her~~ employment status and salary. This statement shall clearly indicate the temporary nature of the employment and the length of time for which the person is being employed. (Education Code- 44916)

~~(cf. 4112.9/4212.9/4312.9 - Employee Notifications)~~

~~Time of initial employment means before the employee starts work. (Kavanaugh v. West Sonoma County Union High School District)~~

The Superintendent Chief Learning Officer or designee shall notify all substitute and part-time certificated employees, within 30 days of their hire, of their right to elect membership in a defined benefit program under a qualified retirement plan. The employee shall sign a form provided by the system to acknowledge receipt of this notice and to indicate whether ~~he/she~~ **the employee** elects or declines membership. Election of membership shall be irrevocable for all future employment to perform creditable service. (Education Code- 22455.5,- 22515)

Assignments

A person who holds an emergency 30-day substitute permit, emergency career substitute permit, emergency substitute permit for prospective teachers, or emergency substitute permit for career technical education shall be restricted in the number of days ~~he/she~~**the employee** may substitute for any one teacher in accordance with 5 CCR- 80025-80025.5.

In placing substitute teachers in special education classrooms, the district shall give first priority to substitute teachers with the appropriate special education credential(s), second priority to substitute teachers with any other special education credential, and third priority to substitute teachers with a regular teaching credential. An inappropriately credentialed substitute teacher shall not serve as a substitute for a special education teacher for a period of more than 20 cumulative school days for each special education teacher absent during each school year. The district may apply to the Superintendent of Public Instruction for an extension of 20 school days, or for a longer period in extraordinary circumstances. (Education Code- 56060-, **56061**, 56062)

Substitute Teachers

~~Site administrators reserve the right to place a long-term block on a particular substitute teacher to keep that sub from accepting jobs in either a classroom or an entire school. The reason for blocking a substitute teacher is at the discretion of the administrator, but is mainly due to unprofessional behavior. Blocking a substitute teacher is a consequence of site teacher or staff complaint involving the substitute teacher. If a substitute is blocked from any job, a formal complaint form will be submitted to the TTUSD District Office. The Executive Director of Administrative Services or designee will meet with the sub and provide a written rationale for the blocking and the duration. The duration of a "block" will be determined by the school site administrator. The substitute teacher may appeal this decision to the Executive Director of Administrative Services or designee. The decision of the Executive Director of Administrative Services or designee's decision is final and there are no additional appeal rights.~~

~~Substitute teachers on long-term assignments will be observed by the site administrator at least once every ten days of an assignment and provided feedback from the observation regarding classroom management, lesson planning, and instructional strategies. Concerns or complaints will be reviewed immediately with long-term substitutes and an improvement plan will be created to assist the substitute teacher. Formal complaints regarding long-term substitutes will only be submitted to the Executive Director of Administrative services after all attempts to remedy concerns and complaints are exhausted with the school administrators. If the concerns cannot be addressed at the school site, the site administrator may block the substitute and submit a formal complaint form to the Executive Director of Administrative Services. The Executive Director of Administrative Services or designee will meet with the~~

~~sub and provide a written rationale for the blocking and the duration. The substitute teacher may appeal this decision to the Executive Director of Administrative Services or designee. The decision of the Executive Director of Administrative Services or designee's decision is final and there are no additional appeal rights.~~

~~Should termination and removal from the substitute pool be considered, the substitute teacher will meet with the Executive Director of Administrative Services and be provided a written rationale only after all remedial efforts have been attempted. The substitute teacher may appeal this decision to the Executive Director of Administrative Services or designee. The decision of the Executive Director of Administrative Services or designee's decision is final and there are no additional appeal rights. Immediate termination and removal from the substitute~~

pool will result for egregious violations of district policy, education code, or other legal infractions. There are no appeal rights in these cases.

Governing boards of school districts may release temporary employees requiring certification qualifications under the following circumstances:

1. At the pleasure of the board prior to serving during one school year at least 75 percent of the number of days the regular schools of the district is maintained.
2. After serving during one school year the number of days set forth in subdivision (a), if the employee is notified before the end of the school year of the district's decision not to reelect the employee for the next succeeding year. (Repealed and Added by Stats. 1992, Ch. 336, Sec. 2 and 3.)