

## **Substitute, Temporary and Part-Time Teachers and Executive/Professional Employees**

### **Introduction**

From time to time, the District employs teachers and Executive/Professional employees on a substitute, temporary or part-time basis to fill vacancies resulting from employee illness or injury, leaves of absence, resignations, or terminations, or temporary positions, including those supported with out-of-District funds. This policy is intended to provide guidance to the Superintendent and his/her designee(s) in connection with the employment of substitute, temporary and part-time teachers and Executive/Professional employees.

### **Substitute Employment**

- **General**

A substitute employee (“Guest Staff”) is an employee hired by the District to temporarily replace a regular employee who is absent from work as a result of illness or injury, a leave of absence, resignation, termination and the like. Guest Staff may include individuals substituting for employees in either teacher or Executive/Professional positions.

- **Substitute Teachers**

In carrying out his/her responsibilities under this policy, the Superintendent or his/her designee shall develop and maintain a list of authorized individuals who may be employed by the District as substitute teachers. The Board of Education (the “Board”) authorizes the Superintendent, his/her designee and, principals to notify and direct individuals on the list to perform services as substitute teachers for the District, as may be required on a temporary basis. The substitute employee shall be notified that the assignment is temporary and that his/her employment may be terminated by the District at any time.

The Board directs the Superintendent or his/her designee to take any necessary steps to increase the available pool of substitute teachers by encouraging qualified individuals to seek appropriate substitute authorization/licensure/certification as provided by state law.

### **Temporary Employment**

A temporary employee is a teacher or Executive/Professional employee hired by the District to fill a position that is temporary in nature, including a position that is supported with out-of-District funds. The District may employ individuals as temporary employees with intent not to re-employ such individuals at the end of their temporary assignments. A temporary employee shall be notified that the assignment is temporary and that his/her employment may be terminated pursuant to the employment contract.

If temporary employees wish, they may be considered with other applicants for employment for the succeeding school year. However, in the event of termination of funds from out-of-District funding sources or in the event a temporary teacher or Executive/Professional employee works continuously in a single position for at least one school year, subject to applicable law, priority may be given to the temporary employee over external applicants for openings for which they qualify in the same subject area and at the same level of the previous year's employment (primary, intermediate, junior high or senior high).

### **Part-Time Employment**

A part-time employee is a teacher or Executive/Professional employee who works fewer than four hours during each regular school day. Pursuant to state law, part-time teachers and Executive/Professional employees (who hold teacher licenses and supervise the instructional program) are not eligible for probationary status regardless of the number of regular school days they work.

### **Delegation of Authority Regarding Substitute and Temporary Teachers and Executive/Professional Employees**

Subject to the conditions described below, the Board hereby delegates to the Superintendent and his/her designee(s), the ability to employ and terminate the employment of any substitute or temporary teacher or Executive/Professional employee in the District without obtaining approval from the Board. This delegation shall apply only to substitute or temporary teachers or Executive/Professional employees who work on one continuous assignment in the District for fewer than 90 regular school days or for less than one semester as determined by the District's annual school year calendar, whichever period is shorter. The Superintendent or his/her designee must obtain Board approval before employing or terminating the employment of all other substitute or temporary teachers or Executive/Professional employees, including teachers hired with the intent not to re-employ them (if they are employed in a continuous assignment for 90 or more regular school days or for one semester or longer, whichever period is shorter). Further, the Superintendent or his/her designee(s) may not create any new position in the District without the prior approval of the Board.

- **Conditions**

Prior to employing any temporary or substitute teacher or Executive/Professional employee, the Superintendent or his/her designee shall:

1. Conduct a background check on the individual in accordance with applicable law;
2. Confirm that the individual has all appropriate authorizations/licenses/certifications;
3. Ensure that the individual is otherwise qualified for the position;
4. Check employment references; and
5. Confirm whether the individual was previously employed by the District, and if so, whether the individual has been identified by the District's Human Resources Department as eligible for re-hire with the District.

**Disclaimer**

**THIS POLICY IS NOT INTENDED TO CREATE, AND SHOULD NOT BE INTERPRETED AS CREATING, AN EXPRESS OR IMPLIED CONTRACT, INCLUDING A CONTRACT OF EMPLOYMENT. THIS POLICY IS ALSO NOT INTENDED TO CREATE, AND SHOULD NOT BE INTERPRETED AS CREATING, PROPERTY RIGHTS, PRIVACY RIGHTS, RIGHTS TO DUE PROCESS, OR OTHER CONTRACTUAL OR CONSTITUTIONAL RIGHTS.**

**EXCEPT FOR EMPLOYEES WHO ARE SUBJECT TO THE COLORADO TEACHER EMPLOYMENT, COMPENSATION AND DISMISSAL ACT (“TECDA”), ALL EMPLOYEES OF THE DISTRICT ARE AT-WILL EMPLOYEES. THIS MEANS THAT EITHER THE EMPLOYEE OR THE DISTRICT MAY TERMINATE EMPLOYMENT AT ANY TIME, WITH OR WITHOUT ADVANCE NOTICE, AND WITH OR WITHOUT CAUSE.**

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LEGAL REFS.: C.R.S. § 22-9-106 (1)(b)  
C.R.S. § 22-32-109.7  
C.R.S. § 22-32-109.8 9  
C.R.S. § 22-63-103 (6), (10)

CROSS REFS.: GDG, Substitute, Temporary and Part-Time Education Support  
Professionals  
CSEA Master Agreement  
Executive/Professional Meet and Confer Handbook