**Labor Policy Guidance 2023-2024: Substitute Teacher Service and Q Rate**

**Overview:**

Occasional Per Diem Substitute teachers (also known as day-to-day substitutes) may be eligible for the regular payrate (i.e. “Q” rate) under certain circumstances. This guidance identifies the requirements and benefits when occasional per diem substitute teachers are eligible for and therefore transition to Q payroll status. The guidance identifies each step to ensure timely implementation. The eligibility criteria and implementation process are set forth below.

Once eligible for Q, such teachers will receive regular full-time salary; be eligible for health benefits; and accrue sick leave. There is no obligation to retain a per diem substitute in an assignment for any length of time. In addition, per diem substitutes and those converted to Q status may be terminated in a manner consistent with the contract and schools may use other options to cover classes. Schools will continue to be financially responsible for this assignment and schools will not be held harmless for this cost.

**Eligibility:** A per diem substitute teacher is eligible for the Q rate under two scenarios (irrespective of certification):

1. **Substitute Teacher Fills Budgeted Unencumbered Vacancy:** In this scenario, there is a budgeted vacancy and the school was unable to hire a teacher for the position. A substitute teacher shall receive the Q payroll rate if: (A) s/he is assigned to the budgeted unencumbered vacancy, which is expected to be vacant for that term, during the first 15 calendar days of the school year; or (B) they are assigned to the budgeted unencumbered vacancy after the first 15 calendar days and works a minimum of 2 months.

   Example: A school was unable to hire a Math teacher and there is a budgeted unencumbered math vacancy. Substitute Teacher A works in the budgeted vacancy from October 1, 2023 through January 31, 2024 at which point another teacher is hired and assigned to the class for the duration of the year. Substitute Teacher A is eligible for the Q rate from October 1, 2023 through January 31, 2024.

2. **Substitute Teacher Fills An Encumbered Vacancy:** In this case, there is an assigned teacher and the teacher is on a leave of absence (i.e. teacher on sabbatical, unpaid leave of absence; approved Injury in the Line of Duty absence; reassigned; absent on paid status and then unpaid leave of absence; or approved paid leave of absence). A substitute teacher shall receive the Q payroll rate if they are assigned to the encumbered vacancy and (A) work a minimum of two months; and (B) the duration of the school year.
Example No. 1: A math teacher is on a leave of absence from March 1, 2024 through June 30, 2024. Substitute Teacher A is assigned to this class for the entire period and is eligible for the Q rate for the period of March 1, 2024 through June 30, 2024 (s/he may be eligible for the Z rate in the interim, depending on assignment and attendance).

Example No. 2: A math teacher is on a leave of absence from March 1, 2024 through June 1, 2024. Substitute Teacher A is assigned to this class for the entire period. Substitute Teacher A is not entitled to the Q rate because the assignment does not continue for the duration of the school year (s/he may be eligible for the Z rate, depending on assignment and attendance).

**Implementation:** The following outlines the roles and responsibilities for implementation:

- **School Administration:** The school administration team must monitor substitute teacher assignments and identify when a substitute teacher is eligible for the Q rate based on the above criteria.

- **Human Resources Director/designee:** Once a per diem substitute teacher is identified as eligible, the school administration team must contact the HRD or designee. The HRD/designee will confirm eligibility and work with the school and other field staff (including budget personnel) to implement the necessary staffing transaction so that the substitute teacher is staffed in the appropriate unique code. An employee who is eligible for the Q rate will transition from the Occasional Per Diem license to a unique license for Q rate purposes only retroactive to first date of eligibility and, at the end of the assignment, return to the O license. While a temporary credential may be issued to allow for staffing of per diem to Q status, this temporary credential does not qualify a teacher for certification or appointment and may not be used on a long-term basis.

- **Payroll:** The staffing transaction should initiate the Q payroll payments. The HRD/designee and/or school secretary may contact Central Payroll as needed after the completion of all staffing transactions.

For questions or concerns regarding implementation, school personnel should contact their Human Resources Director and/or Budget Liaison or Payroll. For questions regarding eligibility or termination of a substitute, please contact Senior Field Counsel.