



## Regulation of the Chancellor

Number: **C-206**

Subject: **OCCASIONAL PER DIEM SUBSTITUTE SERVICE**

Category: **PEDAGOGICAL PERSONNEL**

Issued: **September 5, 2000**

### SUMMARY OF CHANGES

This Regulation supersedes and replaces C-206 dated June 24, 1993.

The Regulation establishes the procedures for the approval and certification of persons employed expressly to provide occasional substitute coverage on a day-to-day, intermittent or short-term basis for regular members of the staff who are absent in license areas for which substitute service is deemed appropriate.

There are no changes in this Regulation.



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### 1. PURPOSE OF REGULATION

This Regulation establishes the procedures, in conformance with Commissioner's Regulations, for the approval and certification of persons employed expressly to provide occasional substitute coverage on a day-to-day, intermittent or short-term basis for regular members of staff who are absent in license areas for which substitute service is deemed appropriate (e.g., teacher, school secretary).

### 2. DEFINITION OF OCCASIONAL PER DIEM SUBSTITUTE SERVICE

- a. As applied in this Regulation, the term "occasional per diem substitute" means a person employed to replace an absent pedagogical staff member who is expected to return. This Regulation covers occasional (flat rate) per diem substitutes serving more than 29 days.
- b. Excluded from the scope of this Regulation is substitute service of a more protracted nature, including full-term regular substitutes or long term per diem substitutes on the regular payroll. These types of substitute service, although performed also by a person who is not appointed, require the acquisition of a credential to authorize employment as either a Certified Provisional Teacher or a Preparatory Provisional Teacher.

### 3. ELIGIBILITY FOR OCCASIONAL PER DIEM SUBSTITUTE SERVICE

Persons may be assigned to serve as occasional per diem substitutes upon possessing any of the following VALID credentials:

- A New York City Regular teaching license prior to appointment or after appointment during an approved leave of absence except for any leave for which substitute service is prohibited (e.g., medical leave.)
- A New York City "Regular Substitute" license
- A New York City Per Diem Certificate (Not Temporary Per Diem Certificate)
- A New York City Certificate to serve as a Certified Provisional Teacher
- A New York City Certificate to serve as a Preparatory Provisional Teacher
- A New York City Certificate to serve as an Occasional Per Diem Substitute Teacher (as described below)

Note: Certificates or licenses issued for subject areas other than classroom teaching (e.g., School Psychologist, School Social Worker, School Secretary, Laboratory Specialist, Attendance Teacher, Teacher of Bilingual School and Community Relations, etc.) may NOT be used for classroom service. These certificates may only be used for substitute service in the particular license area when authorized by the Division of Human Resources.

- a. No person may be assigned for occasional per diem substitute employment without possessing a valid credential as indicated above or having obtained a Certificate for Occasional Per Diem Substitute Service. The Office of Recruitment, Personnel Assessment and Licensing will issue such a certificate upon application by the prospective assignee or the responsible employing authority, following an evaluation of the applicant's qualifications and satisfaction of any other requirements that may be prescribed by the Chancellor.
- b. A Certificate for Occasional Per Diem Substitute Service is valid only for such intermittent employment during the school year in which issued and may be renewed for future school years, upon determination that all conditions have been satisfied and verification that the certificate holder has performed at least 10 days of satisfactory substitute service during the year.
- c. The validity of a Certificate for Occasional Per Diem Substitute Service shall not extend to any assignments as a Regular Substitute or Long Term Per Diem Substitute, which entails compensation from the regular payroll as opposed to the per diem payroll.
- d. A Certificate for Occasional Per Diem Substitute Service may be issued to a person who:
  - 1) possesses a New York State Permanent or Provisional Teaching Certificate or Certificate of Qualification, lacks a New York City teaching license and does not desire to work as a regular substitute or long term per diem substitute.

Note: The holder of a New York State Teaching Certificate or Certificate of Qualification who applies for a regular license examination will receive a certificate to serve as a Certified Provisional Teacher, which authorizes employment either as an occasional per diem substitute or long-term substitute assignment;

- 2) holds neither a New York State Teaching Certificate nor a New York City teaching license but satisfies the minimum requirements for New York State Certification and ONLY wishes to serve on an occasional per diem basis;
- 3) holds a baccalaureate degree from an accredited college or university, does not satisfy the minimum requirements for a New York State Teaching Certificate or New York City teaching license and does not wish to obtain a certificate to serve as a Preparatory Provisional Teacher but wishes to serve ONLY as an Occasional Per Diem Substitute.

Note: Individuals who have served satisfactorily under a New York City teaching license for which at least minimum requirements were satisfied, and have either retired, resigned or terminated services without fault or delinquency will continue to be issued Per Diem Certificates valid for Regular Substitute, Long Term Per Diem and Occasional Per Diem Service. These individuals do not require specific certificates valid for occasional per diem substitute service.

- e. Certificates for Occasional Per Diem Substitute Service issued to applicants as described in Section III.A.4 above, may be used for occasional per diem substitute employment for the school year subject to limitations indicated in Section IV below.

#### **4. LIMITATIONS ON OCCASIONAL PER DIEM SUBSTITUTE EMPLOYMENT FOR PERSONS WHO DO NOT MEET NEW YORK STATE CERTIFICATION REQUIREMENTS**

- a. Consistent with the provisions of Commissioner's Regulation 80.36, the extent to which a person who does not possess New York State Teaching Certification may engage in per diem substitute work is limited to no more than 40 days in a school year, unless the substitute pursues academic study leading to a New York State Provisional Teaching Certificate at the rate of at least 6 semester hours per year. Accordingly, all applicants for Certificates for Occasional Per Diem Substitute Service must execute a commitment to engage in such study if the 40-day threshold is exceeded. Applicants who work fewer than 40 days are not obligated to fulfill this commitment although they will be required at the time of making application to sign such a statement. Adherence to this agreement is a requirement for the renewal of any certificate.
- b. Where a certificate holder has rendered no more than 40 days of occasional per diem substitute service during the year, been rated satisfactory and has maintained continuous availability for assignment, the certificate may be renewed without any obligation to complete additional academic study.
- c. Where a certificate holder has rendered more than 40 days of occasional per diem substitute service during the year, the certificate may be renewed upon the holder's demonstrating satisfactory performance and evidence of completion of at least 6 semester hours of coursework leading toward the requirements for New York State Teaching Certification.
- d. For purposes of this regulation, the area of New York State Teaching Certification toward which the applicant is progressing academically shall be considered the subject area requiring the lowest number of additional collegiate credits.

#### **5. REQUIREMENTS FOR SUBSTITUTE SERVICE OF AN OTHER THAN OCCASIONAL NATURE**

The holder of a Certificate for Occasional Per Diem Substitute Service may not be assigned to fill a regular substitute or long-term per diem vacancy or an opening resulting from the absence of a staff member who is not expected to return before the end of the school term. A person who wishes to be assigned to such a position must surrender the certificate to

serve as an Occasional Per Diem Substitute and obtain a certificate as either a Certified Provisional Teacher or Preparatory Provisional Teacher.

Note: Individuals who possess valid Regular Licenses, Substitute Licenses, and Per Diem Certificates may serve as substitutes on other than an occasional basis.

## **6. INQUIRIES**

Inquiries concerning this Regulation should be directed to:

Office of Staffing Services

N.Y.C. Department of Education

65 Court Street - Room 605

Brooklyn, NY 11201

Telephone: 718-935-2835