

THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: EMPLOYEES

TITLE: Employment of Substitutes

ADOPTED:

REVISED: May 18, 2017

305 EMPLOYMENT OF SUBSTITUTES

Authority

The School District of Philadelphia shall maintain a list of the names of potential substitute employees and the positions in which they may substitute. Additional names may be added to the list of substitutes on an as-needed basis. The list of positions that the district will employ substitutes will be determined by the business needs of schools.

Substitutes with the required level of skills and competencies shall be employed by the district in order to provide continuity in the educational programs, operations and services of the schools.

A candidate's misstatement of fact material to qualifications for employment or determination of salary shall constitute grounds for dismissal by the School Reform Commission.

Pre-Employment Requirements

The district shall conduct an employment history review in compliance with state law prior to issuing an offer of substitute employment to a candidate. The employment history review shall remain valid as long as the substitute continues to be employed by the district or remains on the approved substitute list. Failure to accurately report required information shall subject the candidate to discipline up to, and including, denial of employment or termination if already hired, and may subject the candidate to civil and criminal penalties. The district may use the information for the purpose of evaluating an applicant's fitness to be hired or for continued employment and may report the information as permitted by law.[\[1\]](#)

A candidate shall not be employed until the individual has complied with the mandatory background check requirements for criminal history and child abuse and the district has evaluated the results of that screening process.[\[2\]](#)[\[3\]](#)

Each candidate shall report, on the designated form, arrests and convictions as specified on the form. Candidates shall likewise report arrests and/or convictions that occur subsequent to initially submitting the form. Failure to accurately report such arrests and convictions may subject the individual to denial of employment, termination if already hired, and/or criminal prosecution.[\[3\]](#)

A candidate for employment in the district or with designated substitute services providers shall be ineligible to commence employment without evidence of his/her certification, when such certification is required. [\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

Compensation

Substitutes shall be paid on a per diem basis at a rate set periodically by the SRC for the various classes of employees or as required by an applicable collective bargaining agreement.

Delegation of Responsibility

The Superintendent or designee shall develop administrative procedures regarding employment of substitutes.

The administration may seek recommendations from former employers and others to assess the candidate's qualifications. Such recommendations and references shall be retained confidentially and for official use only.

The Superintendent or designee shall recommend retention on the approved substitute list only for those substitutes who have satisfactorily performed their duties.

The Superintendent or designee shall prepare a written statement for all approved substitutes informing them of their pay rate, employee status, work schedule, and other matters that enable them to perform their duties to the best of their ability. A copy of this statement shall be placed in the employee's personnel file.

Legal References:

1. [24 P.S. 111.1](#)
2. [23 Pa. C.S.A. 6344](#)
3. [24 P.S. 111](#)
4. [22 PA Code 49.1 et seq](#)
5. [24 P.S. 1109](#)
6. [24 P.S. 1201](#)
7. [24 P.S. 2070.2](#)

Related Information:

[24 P.S. 108](#)

[24 P.S. 406](#)

[24 P.S. 1101](#)

[24 P.S. 1106](#)

[24 P.S. 1148](#)

[Philadelphia Home Rule Charter - 12-308](#)

[Philadelphia Home Rule Charter - 12-401](#)

[22 PA Code 8.1 et seq](#)

23 Pa. C.S.A. 6301 et seq
Pol. 104 - Nondiscrimination in Employment Practices