



ADMINISTRATIVE PROCEDURE

SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 7153

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CATEGORY: **Personnel, Leaves/Absences**

EFFECTIVE: **3-6-73**

SUBJECT: **Replacements for Employees During Long-Term Absences**

REVISED: **11-16-05**

A. PURPOSE AND SCOPE

1. To outline administrative procedures governing the hiring of contract hourly employees as replacements on a selective basis for regular employees on long-term sick leave or other long-term *paid* leaves.
2. **Related Procedures:**

Certificated substitutes for illness/emergency	7290
Long-term leaves of absence for nonmanagement classified employees	7433
Request for secretarial/clerical substitutes and casual help	7455
Salary administration for classified personnel	7420
Sick leave	7130
Substitutes and acting principals and vice principals	7660

B. LEGAL AND POLICY BASIS

1. **Reference:** Board Policy I-2250; Education Code Sections 44918, 44920, 44948.3, 44949, 44950, 44955, 45103; Collective Negotiations Contract.

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Human Resources Division, Office of the Superintendent.
2. **Definitions**
 - a. **Substitute teachers:** Temporary certificated employees who serve in emergencies, or who take the place of regular teachers or nurses who are absent. Substitute teachers do not achieve tenure and may be released at any time.

Long-term substitute teachers are those who complete more than five (5) consecutive teaching days in a single assignment, and consequently are compensated at a higher daily rate. All other substitute assignments are referred to as “day-to-day.”
 - b. **Leave replacements:** *Contract* teachers employed under provisions of Education Code Section 44920 as replacements for certificated employees who have been granted leaves of absence or are experiencing long-term illness.

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Leave replacements *must* be employed for at least one semester unless they begin employment after the start of the second semester; they may be released at

the end of school year. The leave replacement teacher who has satisfied 75 percent of the previous school year (140 contract duty days assumes a 187 contract work year) has reemployment rights and will receive salary and tenure credit toward probationary status if reemployed for the following school year in a vacant position.

Note: A position normally held by an employee on leave is not “vacant” within the meaning of Education Code Section 44920.

- c. **Probationary teachers:** *Contract* teachers in regular status during their first and second years of services. Unless formally released under provisions of Education Code Section 44949, 44950, 44955, or 44948.3, they must be reemployed for the following school year.
 - d. **Classified hourly employees:** Noncertificated hourly employees employed and paid for less than 75 percent of a school year under provisions of Education Code Section 45103.
 - e. **Replacement employees:** Leave replacements, probationary teachers, and classified hourly employees provided to fill positions and perform duties of regular employees on long-term *paid* leaves (usually sick leave).
3. **Replacement vs. Temporary Substitute.** When an employee is absent for forty-five days or more on a long-term *paid* leave (usually sick leave), division/department head must consider the best method for carrying out that employee’s duties:
- a. **Assign duties on a temporary basis to other employees.** (Priorities should be considered, perhaps resulting in deferment of less essential tasks performed by others.)
 - b. **Certificated:** Assign duties to substitute teachers (long-term or day-to-day).
 - c. **Classified:** Provide temporary promotion to another regular employment regulation employee, if appropriate (Procedure 7420), and/or use hourly-paid employees.

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- d. **Request approval for transfer** of employee's assignment and budget charge number to appropriate cost center and account code, and employ a *replacement employee* in accordance with this procedure.
4. **Return From Long-Term Absence**
 - a. Employee returning from absence of thirty or more days must submit "Physician's Approval to Resume Normal Duties" (Procedure 7130).
 - b. Overlap of assignments of regular and replacement employees is not authorized unless prior approval by the Budget Operations Department, Financial Operations Division, Office of School Site Support, is obtained.

D. IMPLEMENTATION

1. **Division head** completes "Personnel Action Request" (PAR) to request transfer of employee's assignment and budget charge number to appropriate account code; attaches physician's certification that employee will be absent for forty-five (45) days or more on sick leave, or appropriate documentation for other long-term paid leave; routes to the Human Resources Division.
2. **Human Resources Division** employs probationary teacher, leave replacement, or noncertificated hourly employee to replace absent employee.
3. **Division Head**
 - a. Retains employee in appropriate division location as *assigned* cost center; processes sick leave cards and time sheets during employee's absence.
 - b. Notifies the Human Resources Division and Budget Operations Department *at least five (5) workdays* prior to return of employee from long-term absence.
 - c. Initiates "Personnel Action Request" (PAR) to transfer employee's budget charge number from long-term illness cost center to regular cost center.
4. **Human Resources Division** takes action to reassign or release replacement employee, according to provisions of the Education Code.

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E. FORMS AND AUXILIARY REFERENCES

1. Personnel Action Request (PAR) available on web site.
2. Physician's Approval to Resume Normal Duties, available from the Human Resources Department.

F. REPORTS AND RECORDS

G. APPROVED BY

Kerry B. Flanagan

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For the Superintendent of Schools