

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 22.1-302 of the Code of Virginia, relating to substitute teachers.*

3 [H 623]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 22.1-302 of the Code of Virginia is amended and reenacted as follows:**7 § 22.1-302. Written contracts required; execution of contracts; qualifications of temporarily employed  
8 teachers; rules and regulations.9 A. A written contract, in a form prescribed by the Board of Education, shall be made by the school  
10 board with each teacher employed by it, except those who are temporarily employed, before such  
11 teacher enters upon his duties. Such contract shall be signed in duplicate, with a copy thereof furnished  
12 to both parties. A temporarily employed teacher, as used in this section, shall mean (i) one who is  
13 employed to substitute for a contracted teacher for a temporary period of time during the contracted  
14 teacher's absence, or (ii) one who is employed to fill a teacher vacancy for a period of time, but for no  
15 longer than ~~ninety~~ 90 teaching days in such vacancy, *unless otherwise approved by the Superintendent*  
16 *of Public Instruction on a case-by-case basis*, during one school year.17 B. The Board of Education shall promulgate regulations regarding temporarily employed teachers, as  
18 defined in this section, which shall provide that such teachers be at least eighteen years of age and that  
19 they hold a high school diploma or a general educational development (GED) certificate.20 However, local school boards shall establish employment qualifications for temporarily employed  
21 teachers which may exceed the Board's regulations for the employment of such teachers. School boards  
22 shall also seek to ensure that temporarily employed teachers who are engaged as long-term substitutes  
23 shall exceed baseline employment qualifications.24 C. A separate contract in a form prescribed by the Board of Education shall be executed by the  
25 school board with such employee who is receiving a monetary supplement for any athletic coaching or  
26 extracurricular activity sponsorship assignment. This contract shall be separate and apart from the  
27 contract for teaching.28 Termination of a separate contract for any athletic coaching or extracurricular activity sponsorship  
29 assignment by either party thereto shall not constitute cause for termination of the separate teaching  
30 contract of the coach or teacher.31 All such contracts shall require the party intending to terminate the coaching or extracurricular  
32 activity sponsorship contract to give reasonable notice to the other party before termination thereof shall  
33 become effective.34 For the purposes of this section, "extracurricular activity sponsorship" means an assignment for which  
35 a monetary supplement is received, requiring responsibility for any student organizations, clubs, or  
36 groups, such as service clubs, academic clubs and teams, cheerleading squads, student publication and  
37 literary groups, and visual and performing arts organizations except those that are conducted in  
38 conjunction with regular classroom, curriculum, or instructional programs.39 **2. That the Board of Education shall develop guidelines to implement the provisions of subsection**  
40 **A of § 22.1-302 pertaining to the employment of substitutes for longer than 90 teaching days**  
41 **during one school year, no later than July 1, 2011.**

ENROLLED

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