

**Statement of Administrative Impact and Projected Costs of Implementing the  
Proposed Regulations 8 VAC 20-640 Governing Substitute Teachers**

Prior to the adoption of any regulations affecting school divisions, Section 22.1-17 of the *Code of Virginia* requires that the Board of Education and the Department of Education prepare a statement of the administrative impact of such regulations on school divisions and the projected costs of implementing and complying with such regulations. The Department is required to send a copy thereof to each division superintendent.

The Board of Education is in the process of promulgating regulations governing substitute teacher regulations.

**Authority:** Code of Virginia, Section 22.1-16. **Bylaws and regulations generally:** "The Board of Education may adopt bylaws for its own government and promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of this title."

Article VIII, Section 4 of the Constitution of Virginia (1971), the Board has the authority and responsibility for the general Supervision of the public school system.

Code of Virginia, Section 22.1-302. A temporarily employed teacher is defined in this section of the Code as (i) one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or (ii) one who is employed to fill a teacher vacancy for a period of time, but for no longer than ninety teaching days in such vacancy during one school year. The Board has specific statutory authority to prescribe, by regulation, requirements for temporarily employed teachers, which shall provide that such teachers be at least eighteen years of age and that they hold a high school diploma or a general educational development (GED) certificate.

**Purpose:** The primary purpose of promulgating regulations for substitute teachers is to ensure that substitute teachers meet basic requirements before teaching in Virginia classrooms.

**Substance:** The proposed regulations provide requirements governing substitute teachers in Virginia.

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**Summary of the Proposed Regulations:** The proposed regulations are as follows:

Substitute teachers must:

- A. Be a minimum of 18 years of age (21 years of age preferred);
- B. Possess good moral character;
- C. Have earned a high school diploma or GED; and
- D. Must attend an orientation to school policies and procedures conducted by the local school division.

**Estimated Administrative Impact:** The projected cost to the state to implement and enforce the proposed regulations is negligible. In surveying school divisions, most school boards have adopted local requirements that subsume the proposed regulations. The one requirement that will need to be implemented in some school divisions is the establishment of an orientation for substitute teachers to school policies and procedures.