



Date: February 16, 2023

To: Area Superintendents, Associate Superintendents, Executive Area Directors on Assignment, Principals and Assistant Principals

From: John C. Palmerini, Deputy General Counsel
Office of Legal Services

Recipients: Maria F. Vazquez Ed.D., Superintendent
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Leigh Ann Blackmore, Director of Labor Relations
Scott Lindsey, Senior Administrator of Human Resources

Subject: **Guidance regarding payment of instructional personnel when substituting for another teacher who is absent because of an emergency**

In emergency situations, members of the instructional bargaining unit may be required to substitute for another teacher who is absent. An “emergency” is defined in Article XIV, Section C(2) of the Contract between the School Board of Orange County, Florida and the Orange County Classroom Teachers Association (“Contract”) as:

“a sudden unexpected happening; an unforeseen occurrence or condition; perplexing contingency or complication of circumstances; a sudden or unexpected occasion for action; exigency; pressing necessity. Emergency is an unforeseen combination of circumstances that calls for immediate action without time for full deliberation. Examples include, but are not limited to, a sudden unexpected and severe medical event at school, or when a teacher has a family crisis during the school day requiring his/her immediate attention.”

Under Article XIV, Section C(5) of the Contract: “Any bargaining unit member required to split classes or substitute for another teacher will receive a proportionate share of compensation that a substitute teacher is paid to cover absences in that particular school.”

This provision applies not only to classroom teachers, but any member of the CTA bargaining unit who serves as a substitute for another teacher, including ESE teachers, resource teachers, deans, school counselors, speech therapists, occupational therapists, media specialists, registered nurses, social workers and school psychologists. Any instructional personnel in the CTA bargaining unit who substitutes for another teacher in an emergency must receive a proportionate share of what would have been paid to the substitute.

If you have any questions, please contact Labor Relations. LeighAnn Blackmore may be reached at leighann.blackmore@ocps.net Scott Lindsey may be reached at scott.lindsey@ocps.net.