

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
112TH LEGISLATURE  
SECOND REGULAR SESSION

REPORT OF THE  
JOINT STANDING COMMITTEE  
ON EDUCATION  
ON ITS  
STUDY OF SUBSTITUTE TEACHER  
COMPENSATION

DECEMBER 1986

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Majority Report

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Sen. Walter W. Hichens  
Rep. Ada K. Brown \*, House Chair  
Rep. William O'Gara  
Rep. Gwilym R. Roberts  
Rep. Mary E. Small  
Rep. Judith C. Foss  
Rep. William F. Lawrence \*  
Rep. Frederick F. Soucy \*

Minority Report

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MAJORITY  
REPORT OF THE  
JOINT STANDING COMMITTEE  
ON  
EDUCATION  
ON ITS  
STUDY OF SUBSTITUTE TEACHER COMPENSATION

In recent years, several bills have been introduced to increase the level of compensation for substitute teachers showing a significant legislative interest in this area. On April 17, 1986, the Legislative Council approved a study of the issue of substitute teacher compensation by the Joint Standing Committee on Education. One subcommittee and one full committee meeting was authorized during the interim. The Education Committee selected a subcommittee consisting of Rep. Ada Brown (chair), Rep. Fred Soucy, Rep. James R. Handy, Rep. Ken Matthews and Rep. Bill Lawrence. The subcommittee held an organizational meeting with staff in May prior to the end of the Second Regular Session of the 112th Legislature and held the authorized subcommittee meeting on June 30. The full Committee meeting was held September 8.

I. BACKGROUND

Currently, the minimum daily pay for a substitute teacher is \$30 (20-A MRSA §13402, sub-§2). That minimum was established in 1983. Formerly, the minimum had been \$20 per day for substitutes with a bachelor's degree and a teacher's certificate or for retired teachers with 15 years teaching experience.

Under present Department of Educational and Cultural Services (DECS) rules (copy attached) there are three levels or degrees of substitute teachers. First, candidates with a bachelor's degree and teacher certification appropriate for the grade in which they are substituting. Those persons may serve as substitutes with no time limit. At the second level, are candidates with at least two years of college. Those candidates may substitute for a maximum of 60 days in one teaching position. Thirdly, in emergencies, persons with less than 2 years of college and at least a high school diploma may be employed as substitutes for a maximum of 10 days in one position, subject to extension only by the department. Those rules have been in effect since 1970.

II. COMMITTEE DELIBERATIONS

Early on, the Committee identified 2 key issues for discussion. They are: (1) the necessary minimum

qualifications for substitute teachers; and (2) the appropriate level of compensation.

A. Qualifications

The Committee discussion on the qualifications of substitute teachers centered on the possibility that under DECS rules a substitute with only a high school diploma may be employed as a substitute for up to 10 days in any one teaching position. There was general agreement that this was inadvisable especially in light of recent educational reform efforts. However, some members pointed out that in certain circumstances it may be unavoidable and, in fact, beneficial, e.g., where due to geographical isolation or shortage of other qualified substitutes no other substitutes are available or where due to the particular training and life experience of the substitute with just a high school diploma that person is actually better qualified for the position than other potential substitutes.

For the 1985-86 school year, DECS data indicates that 5,747 individuals were authorized as substitute teachers. Of those, only 63 individuals were authorized as substitutes based on the minimum qualification of graduation from high school. An additional 21 were authorized based on having completed less than 2 years of college.

The breakdown of authorized substitute teachers by education level for 1985-86 is as follows:

<u>Level of Education</u>	<u>Number</u>	<u>Percent</u>
Less than 2 years college with high school diploma	84	1.5%
2-4 years college (no degree)	1,836	31.9%
Bachelor's degree	3,274	57.0%
Master's degree	<u>553</u>	9.6%
	5,747	

As mentioned above, DECS rules limit the use of high school graduates with less than 2 years of college to no more than 10 days in one substitute teaching position. It is not clear, however, how frequently the 84 such persons are used as substitutes. That data is not currently available within the department.

The Committee discussed the possibility of recommending a tightening of the rules governing use of persons with less than 2 years of college as substitutes. A possibility would be to reduce the length of time such persons could serve as substitutes to 5 days during each school year. In the end, a

majority of the Committee decided that without documentation of the extent to which persons with less than 2 years of college are employed as substitutes there is no basis for changing the rules. This position is bolstered by informal surveys conducted by both the committee staff and the Maine School Superintendent's Association during the study. By and large, comments received from the school officials who hire substitutes indicate that persons with less than 2 years of college are either not hired at all or hired only as a last resort.

As a result, the Committee is requesting the DECS to gather information on the use of substitutes with less than 2 years of college from school administrative units during the first part of the current school year. The department will report its findings and recommendations to the Joint Standing Committee on Education and the State Board of Education by May 1, 1987.

#### B. Compensation

The Committee discussed various rationales for raising substitute teacher pay and conducted an informal and limited survey of administrative school units to determine their policies (copy of results attached).

One rationale for increasing the level of compensation is that paying a higher rate will increase the pool of quality substitutes available to school units. There is presently no clear evidence that this is the case. Some units (especially larger, more urban and higher paying ones) surveyed indicated they felt this was so. However, other units (especially smaller, rural and lower paying ones) indicated they felt that was not the case and that their pool of substitutes is inelastic regardless of level of pay. In the absence of hard data on the effect of compensation on the supply of substitute teachers, the Committee agreed that increased pay rates would probably have a varied impact across the State.

A second rationale for higher pay is that the current minimum of \$30/day (which many units still pay) is not equitable in light of the work substitutes are asked to perform and in light of the personal costs involved, e.g., transportation, meals, child care and inflation. Again, the units surveyed split in their opinion. Units which had raised their rate of pay (usually to \$40-\$50/day) tended to feel that the higher rate was only fair. Lower paying units tended to feel that rates of \$30-\$35/day were equitable in their labor market area for the type of work involved. The Committee generally agreed that the minimum pay of \$30/day was low. However, the Committee was split on whether a higher minimum rate ought to be required. A majority felt that the current statutory minimum rate of \$30/day provides basic substitute teacher compensation. An increase above that base is possible

but, it was felt is a matter primarily of local interest and ought not to be mandated by the Legislature based on information now available.

### III. COMMITTEE RECOMMENDATIONS

The Committee found as a result of this study, a good deal of interest and concern over substitute teacher policies. They also found a lack of solid information on which to base any recommendations. Due to that lack of data, committee recommendations are in the nature of additional data collection and study.

A. The Committee recommends that the DECS collect information from all school administrative units during the current school year on the level of use of substitute teachers with less than 2 years of college. That information should be reported along with recommended changes in qualification requirements to the Joint Standing Committee on Education and the State Board of Education by May 1, 1987.

B. The Committee recommends that the statutory minimum level of compensation for substitute teachers remain at the current \$30 per day pending study of the issue by the State Board of Education.

C. The Committee recommends that the State Board of Education conduct a study of qualification requirements and compensation levels of substitute teachers and report to the Second Regular Session of the 113th Legislature by January 15, 1988. That study should consider, among other factors, the experiences with availability of the necessary number of qualified substitutes during the certification pilot projects.

DCE/lk/7411

MINORITY  
REPORT OF THE  
JOINT STANDING COMMITTEE  
ON  
EDUCATION  
ON ITS  
STUDY OF SUBSTITUTE TEACHER COMPENSATION

The Minority concurs with the Majority Report's conclusions that the Department of Educational and Cultural Services has only sketchy information on the qualifications of those who actually work as substitute teachers in Maine public schools. It supports the Majority Report's recommendation that the department collect adequate information and report back to the Joint Standing Committee on Education.

Contrary to the Majority's findings, the Minority feels there is a basis for assuming that increased salaries would increase the number of qualified individuals willing to substitute teach in a school's catchment area. There is also support for the conclusion that relative salaries affect the competition among schools in the same catchment area for available substitute teachers.

The Minority also views the future supply/ demand situation for substitute teachers more gravely than does the Majority. Although, no hard data exists and indeed may not be collectable, certain anecdotal information is available which indicates that at certain times of the year, in certain locations and for certain subjects it is extremely difficult for schools to find qualified substitute teachers. Indeed, the fact that some school units must rely at times on substitute teachers with only a high school education supports that position. Furthermore, we think it is obvious that the situation will worsen in the near future. As the new certification law is implemented, more teachers will be called from the classroom to participate in teacher support team activities elsewhere in the school. The demand for classroom substitute teachers will increase.

I. COMPENSATION

The Minority disagrees with the Majority's conclusion that salaries should not be raised immediately. The Minority favors an increase in the rate of pay for substitute teachers for the following reasons:

A. Traditionally the minimum compensation for substitute teachers have been set by statute, and many school boards rely on the statutory minimum to establish the pay level for substitute teachers. That minimum has not been increased since 1983.



B. Substitute teachers are not part of local teacher bargaining units. They often have to work in more than one school unit which would make membership difficult even if it were possible. Since the teachers' unions cannot at present represent substitute teachers and since substitute teachers' salaries are not a mandatory item for bargaining, it is unrealistic to expect either the local teacher union or school board to take the initiative to resolve the problem of low pay for substitute teachers through collective bargaining.

C. The minimum pay for substitute teachers has not been adjusted for increases in the cost of living for 3 or 4 years. The last time the minimum salaries for substitute teachers was raised was in 1983. While individual units may have raised their minimum since that time to account for inflation, the statutory minimum has not been adjusted for inflation. Many school units do not pay more than the statutory minimum.

D. Until the legislature or local school units have resolved the issue of local collective bargaining for substitute teachers, the legislature has a moral obligation to adequately fulfill its traditional role of assuring that substitute teacher salaries keep pace with salary increases in other similar occupations.

The Minority feels that the current \$30/day minimum which many units still pay is not adequate compensation for the task substitute teachers are asked to perform. We feel that the minimum pay ought to be increased immediately. There are two approaches which could be employed to do so. First, the present statutory minimum could be increased to \$35 or \$40 per day. All school units would pay at least that minimum. As is the case now, some units will pay more; a number will choose to pay just the minimum. This approach continues the present problem of minimum substitute teacher salaries falling behind the cost of living increases in other salaries (see the table below for an estimate of the cost of increasing substitute teachers salaries for different percentage increases on the cost of living.) To deal with this problem the legislature could continue the present practice of periodically reviewing the minimum statutory salary when the issue is raised by individual members. It could also establish an automatic cost of living adjustment equal to the average cost of living increase negotiated by school units or given to teachers employed by the state. Alternatively, the department could explore the feasibility of making pay for substitute teachers a mandatory item in collective bargaining for school units and develop a way for substitute teachers to be represented by local teachers' unions.

## COST OF LIVING INCREASES

	Percent Increase Per Year			
	<u>CPI*</u>	<u>3%</u>	<u>5%</u>	<u>7%</u>
1983	\$30	\$30	\$30	\$30
1984	31	31	32	32
1985	32	32	33	34
1986	33	33	35	37
1987	34	34	36	39
1988		35	38	42

\* The annual Consumer Price Index as determined by the U.S. Department of Labor was 3.2% (1983), 4.3% (1984), 3.5% (1985) and 2.3% (through September, 1986).

A second approach which avoids the problems of differing abilities to pay and of keeping pace with other salary increases is to link minimum substitute teacher pay to a unit's base pay for beginning teachers. In other words, the annual salary for beginning teachers in a unit would be prorated to a daily rate of pay based on the number of school days in that unit. The resulting daily rate of pay would be the minimum for substitute teachers employed by that unit. If, for example, a school unit is paying its beginning teachers the recommended \$13,500 salary for 1986-87, the daily compensation would be \$75/day. That rate of pay seems fair to us for the important task substitute teachers perform. Furthermore, since regular teacher salaries are periodically negotiated at the local level, it avoids the problems of a set minimum being too high for some communities and too low for others and of periodically raising the statutory minimum to account for cost of living adjustments.

## II. QUALIFICATIONS

The department has established by rule different levels of qualifications for substitute teachers and prescribed the length of time which persons in each level may serve. Those requirements are described in the introduction to the Majority Report. Those rules were last amended in 1970.

As described above, we think it equitable that substitute teachers be fairly compensated for their work and have outlined how that may be accomplished. Concomitant with fair pay, comes the expectation that substitute teachers will be properly qualified to teach the students in the classes in which they are substituting. We urge the department to review their substitute teacher certification rules with an eye toward tightening up qualification requirements. This, we think, can be accomplished by February 1, 1987.

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7411/C:7579

DECS RULES: 05-071 Chapter 115, section 2, ¶E

E. Substitute Teacher (November 6, 1970)

1. Authorization: To serve as a day-to-day substitute in elementary or secondary schools. (SUBSTITUTE TEACHERS WILL NOT RECEIVE A CERTIFICATION CARD)
2. Requirements: Applicants may be selected from the following:
  - a. A candidate with a bachelor's degree plus certification appropriate to the school level may serve with no time limit. The request for substitute certification must be presented to the State Department of Education yearly by the employing superintendent of schools.
  - b. A candidate with two or more years of college preparation may teach for a maximum of sixty school days in one teaching position. Extension is subject to approval of the Commissioner of Education. The request for substitute certification must be presented to the State Department of Education yearly by the employing superintendent of schools.
3. It is expected that all school systems will provide appropriate inservice training for all substitute teachers.
4. In special emergencies, superintendents may employ as substitutes those with a minimum high school graduation for a maximum of 10 days in one teaching position, subject to extension only by the State Department of Education.
5. Student teachers may be employed as substitute teachers only within policy acceptable to the college or university concerned.
6. In order to be authorized as a substitute, a person's name must be sent to the Division of Certification on form #EF-C-306, signed by the employing superintendent of schools.

## SUBSTITUTE TEACHER SURVEY

## I. Sample

In 1985, the Maine School Management Association surveyed its members on their substitute teacher compensation policies. There were 144 responses to that survey. Those responses were reviewed; and approximately 10 high paying and 10 low paying units were selected to be contacted regarding their substitute teacher compensation policies and experiences.

## II. Compensation

Low pay: \$30 per day (6 school units)  
 \$33 per day (1 school unit)  
 \$35 per day (2 school units)  
 \$37.50 per day (1 school unit)

High pay: \$40 per day (10 school units)  
 \$45 per day (1 school unit)  
 \$50 per day (1 school unit)

## Variations in long term compensation:

- BA base salary or regular salary scale after 5, 10 or 20 consecutive days
- \$50 after 15 consecutive days, BA scale after 40 consecutive days
- \$50 after 10 consecutive days, on scale after 30 days
- \$2.50 raise (over \$37.50) after 20 consecutive days
- \$45 after 20 cumulative days, option of scale if same class
- \$77 after 10 consecutive days, on scale after 6 mo.
- \$75 after 10 consecutive days (or from beginning if known)
- No increase for longevity

## III. Factors affecting supply

Two major factors: flu season and competition in local economy.

- Flu season in winter and early spring
- Tourist economy: difficult in early fall and spring for summer tourist season, winter for ski areas
- Before vacation periods: burn-out and personal days
- Easier to find craftsmen (as subs in voc ed) in winter when unemployed

- Easier at beginning of year-- better substitutes have found long term substitute or permanent replacement positions by spring
- Specialty areas difficult: Industrial Arts, Math & Science (advanced) Foreign Language, Special Education

#### IV. Impact of compensation on recruitment.

General feeling that an increase in the compensation level would increase the geographic area a particular school unit would draw from but only a few felt it would increase the number applying within the present area. The higher paying units tended to indicate that increased pay would attract more qualified people. The low pay units felt the area they drew from was restricted by geographic factors or lack of individuals with BAs or teacher certification. Hence, they did not feel increased salaries would increase supply. One unit next to a military base felt the supply was adequate at moderate pay because of the military spouses who came through on 2 year rotations. One unit felt that higher pay was necessary to equitably compensate substitutes for the job they perform, including the costs of transportation, child care and tax/retirement withholdings. Other units seemed to discount the importance of these costs and felt that within their market area \$35 per day was adequate compensation.

High pay units favored a state role in setting a minimum salary, typically \$50. Low pay units felt it would have no effect. High pay units were successful in attracting BA or certified substitutes and employed nondegree substitutes infrequently or not at all. Low pay units felt there were few BA people available in the area and that standards would be impossible to meet. The low pay units hired nondegree substitutes fairly often (50%).

#### V. Training and Orientation

A few units had formal orientation before the start of school. The number of substitutes who attended varied and it did not help those substitutes who signed on later in the year. One or more units had the substitute come in the day before if the absence was predictable. They did not pay teachers to attend the orientations. A moderate number had handbooks or other written explanations of school policies developed by the school unit or by the individual building principal. Generally, the new substitute received an oral briefing from the principal prior to starting work.