

**THE REVISED SCHOOL CODE (EXCERPT)**  
**Act 451 of 1976**

**380.1236 Substitute teachers; leave time, salary, and privileges; applicability of subsections (1) and (2); contract; "day" defined.**

Sec. 1236.

(1) Subject to subsection (3), if a teacher is employed as a substitute teacher with an assignment to 1 specific teaching position, then after 60 days of service in that assignment the teacher shall be granted for the duration of that assignment leave time and other privileges granted to regular teachers by the school district, including a salary not less than the minimum salary on the current salary schedule for that district.

(2) Subject to subsections (3) and (4), a teacher employed as a substitute teacher for 150 days or more during a legal school year of not less than 180 days, or employed as a substitute teacher for 180 days or more by an intermediate school district that operates any program for 220 days or more as required by administrative rule, shall be given during the balance of the school year or during the next succeeding legal school year only the first opportunity to accept or reject a contract for which the substitute teacher is certified, after all other teachers of the school district are reemployed in conformance with the terms of a master contract of an authorized bargaining unit and the employer.

(3) Subsections (1) and (2) do not apply to a substitute teacher who is contracted or employed by a person or entity that contracts with a school district or intermediate school district pursuant to section 1236a.

(4) Subsection (2) does not apply to a substitute teacher who is fulfilling the teaching duties of a teacher who is unable to teach due to a terminal illness.

(5) As used in this section, "day" means the working day of the regular, full-time teacher for whom the substitute teacher substitutes. A quarter-day, half-day, or other fractional day of substitute service shall be counted only as that fraction. However, a fraction of a day that is acknowledged by the school district and paid as a full day shall be counted as a full day for purposes of this section.

**History:** 1976, Act 451, Imd. Eff. Jan. 13, 1977 ;-- Am. 1986, Act 72, Imd. Eff. Apr. 7, 1986 ;-- Am. 1995, Act 289, Eff. Mar. 28, 1996 ;-- Am. 2002, Act 735, Eff. Mar. 31, 2003

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