

## **Final Adopted Substitute Rule**

### **60BB-8.410 Voluntary Prekindergarten Program Substitute Instructors.**

(1) As used in this rule, the term “credentialed instructor” means a prekindergarten instructor who has the credentials required under Sections 1002.55(3)(c), 1002.55(4), or 1002.61(4), F.S.

(2) Qualifications. Voluntary Prekindergarten (VPK) substitute instructors must be of good moral character and be screened using the level 2 screening requirements in Section 435.04, F.S., before employment as a VPK substitute instructor. In addition, before employment as a VPK substitute instructor, a VPK substitute instructor must:

- (a) Meet the qualifications of a credentialed instructor; or
- (b) Successfully complete one or more of the following:
  - 1. In a summer VPK program class:
    - a. An associate’s or higher degree in any field of study;
    - b. A child development associate (CDA) credential issued by the National Credentialing Program of the Council for Professional Recognition; or
    - c. A credential approved by the Department of Children and Family Services as defined in Rule 65C-22.003, F.A.C. (effective May 1, 2008), which is hereby incorporated by reference and may be obtained as described in Rule 60BB-8.900, F.A.C., as being equivalent to or greater than the national CDA.
  - 2. In a school year VPK program class:
    - a. Any of the credentials listed in subparagraph (2)(b)1. of this rule;
    - b. A Department of Children and Family Services 40-hour Introductory Child Care Training course, as described in Rule 65C-22.003, F.A.C. (effective May 1, 2008), if the class is offered in a child care facility;
    - c. A Department of Children and Family Services 30-clock-hour Family Child Care Home training as described in Rule 65C-20.013, F.A.C. (effective May 1, 2008), which is hereby incorporated by reference and may be obtained as described in Rule 60BB-8.900, F.A.C., if the class is offered in a large family child care home;
    - d. A Department of Children and Family Services 30-clock-hour Family Child Care Home training as described in Rule 65C-20.009, F.A.C. (effective May 1, 2008), which is hereby incorporated by reference and may be obtained as described in Rule 60BB-8.900, F.A.C., if the class is offered in a family day care home;
    - e. The local school district’s requirements to be employed as a substitute teacher as adopted by each school district under Section 1012.35, F.S.

(3) Circumstances. A VPK provider may assign a substitute instructor when a credentialed instructor is absent from the provider’s premises. A substitute instructor may not be assigned when a credentialed instructor remains on the provider’s premises in order for the credentialed instructor to offer instruction in a classroom other than the one to which the credentialed instructor is assigned.

(4) Time limitation. Substitute instructors may not be assigned to substitute for an absent credentialed instructor in excess of 30 percent of the program hours. A new credentialed instructor must be assigned to replace the absent instructor in the event the absence of the credentialed instructor will exceed 30 percent of the program hours.

(a) A VPK provider shall maintain a record of the number of hours a substitute instructor has been assigned to each VPK classroom.

(b) Records created under paragraph (4)(a) shall be maintained by the VPK provider for a minimum of 1 year and shall be made available for inspection to the VPK provider’s early learning coalition or the Agency during normal hours of operation, and shall submit a copy of the documentation to the coalition or Agency upon the request of the coalition or Agency.

(5) Before a provider may assign a substitute instructor to a VPK classroom, the provider must ensure that the coalition has received documentation of the substitute instructor’s current level 2 background screening and applicable credentials. A coalition may maintain and publish a list of substitute instructors for whom the coalition has previously received documentation which shall indicate, at a minimum, the name of the substitute instructor and the expiration date of the instructor’s level 2 background screening. If the coalition maintains a list, a provider shall not be required to submit documentation for a substitute instructor whose name and level 2 background screening expiration date appear on the list.

(6) Nothing in this rule shall be considered to supersede employment requirements for instructional personnel in public schools which are more stringent than the requirements of this rule. This subsection shall not be construed to permit employment of substitute instructors in public schools for time periods greater than those enumerated in this rule.

*Rulemaking Authority 1002.55(3)(e), 1002.61(6), 1002.63(7), 1002.79(2) FS. Law Implemented 1002.55(3)(e), 1002.61(6), 1002.63(7) FS. History—New 8-10-09.*