

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2078 Session of
2015

INTRODUCED BY PHILLIPS-HILL, DeLISSIO, KLUNK, BOBACK, LONGIETTI,
YOUNGBLOOD, ROZZI, GROVE, DAVIDSON, WATSON, GABLER, D. COSTA,
BULLOCK, OBERLANDER, CORBIN, M. DALEY, SNYDER, DEAN, TOOHIL,
DAVIS, TOEPEL, SACCONI, B. MILLER, KRUEGER-BRANEKY, WARD,
ACOSTA, THOMAS, BRADFORD, HARHART, BLOOM, HELM, ENGLISH, DUSH
AND NELSON, MAY 19, 2016

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 6, 2016

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in certification of teachers, further
6 providing for issuing permanent college certificates, for
7 program of continuing professional education and for
8 professional educator discipline fee.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 1205 of the act of March 10, 1949
12 (P.L.30, No.14), known as the Public School Code of 1949,
13 amended July 22, 1970 (P.L.540, No.183), is amended to read:

14 Section 1205. Issuing Permanent College Certificates.--The
15 [Superintendent of Public Instruction] Secretary of Education
16 shall issue a permanent college certificate to every graduate of
17 an approved college or university, and of such departments
18 therein as are approved by him, when such graduate furnishes

1 satisfactory evidence of good moral character and successful
2 experience of three years' teaching on a provisional college
3 certificate in approved elementary or secondary schools, in
4 private institutions from which the Department of [Public
5 Instruction] Education purchases services on a tuition basis,
6 and in state-aided and state-owned secondary schools, and has
7 completed such work in education as may be required by the
8 standards of the State Board of Education. Such work in
9 education shall not exceed that required as of the time of
10 graduation of such graduates from colleges or universities
11 approved by the State Board of Education. Such certificate shall
12 entitle its holder to teach without further examination. The
13 Department of Education shall process an application for
14 permanent college certification submitted by an individual who
15 is a member of the United States Armed Forces, including a
16 reserve component or National Guard, or a veteran, or the spouse
17 of the member of the United States Armed Forces or the spouse of
18 the veteran, within fourteen (14) days of the date the
19 department received the completed application. For the purposes
20 of this section, the term "veteran" shall mean an individual who
21 has served in the United States Armed Forces, including a
22 reserve component or National Guard, and who was discharged or
23 released from such service under conditions other than
24 dishonorable.

25 Section 2. Section 1205.2(k) of the act, amended June 22,
26 2001 (P.L.530, No.35), is amended to read:

27 Section 1205.2. Program of Continuing Professional
28 Education.--* * *

29 (k) A professional educator who is not employed by a school
30 entity as a professional or temporary professional employe may

1 apply to the department for inactive certification. Inactive
2 certification shall:

3 (1) Suspend the requirements of this section until inactive
4 certification is removed by the department. Upon the removal of
5 inactive certification, a professional educator shall have the
6 same number of hours of continuing professional education and
7 the same amount of time in which to complete those hours as
8 existed for the professional educator at the time inactive
9 certification was granted.

10 (2) [Be] Except as provided under paragraph (2.1), be
11 removed by the department upon the application of the
12 professional educator and evidence of the completion of thirty
13 (30) hours of continuing professional education within the
14 immediate preceding twelve (12) months. The department shall
15 establish guidelines to approve courses that will authorize the
16 removal of inactive certification.

17 (2.1) Be removed by the department upon the application of a
18 professional educator who satisfies all of the following:

19 (i) holds a valid professional certificate issued by another
20 state;

21 (ii) provides evidence of current compliance with the
22 continuing education requirements of the other state; and

23 (iii) was employed on the certificate in the other state
24 within the ~~year~~ PREVIOUS TWO CALENDAR YEARS prior to the <--
25 application.

26 Upon the removal of inactive certification UNDER THIS PARAGRAPH, <--
27 a professional educator WITH VOLUNTARY INACTIVE CERTIFICATION <--
28 shall have the same number of hours of continuing professional
29 education and the same amount of time in which to complete those
30 hours as existed for the professional educator at the time

1 inactive certification was granted. IN THE CASE OF A
 2 PROFESSIONAL EDUCATOR WHOSE CERTIFICATE WAS PLACED ON INACTIVE
 3 STATUS BY THE DEPARTMENT DUE TO THE EXPIRATION OF THE
 4 PROFESSIONAL EDUCATOR'S COMPLIANCE PERIOD, THE PROFESSIONAL
 5 EDUCATOR SHALL BEGIN A NEW FIVE-YEAR COMPLIANCE PERIOD TO
 6 SATISFY THE REQUIREMENTS OF SUBSECTION (A).

7 (3) Disqualify an individual from being employed by a school
 8 entity as a professional or temporary employe. An individual
 9 with inactive certification may be employed as a substitute
 10 teacher, principal, superintendent or assistant superintendent
 11 in accordance with the endorsement on the individual's
 12 certificate or letter of eligibility for no more than ninety
 13 (90) days during a school year.

14 * * *

15 Section 3. Section 1216.1 of the act, added July 9, 2013
 16 (P.L.408, No.59), is amended to read:

17 Section 1216.1. Professional Educator Discipline Fee.--(a)
 18 [In] Except as provided under subsection (d), in addition to any
 19 application fee established by the Department of Education, an
 20 applicant for certification from the department shall pay a
 21 professional educator discipline fee of twenty-five dollars
 22 (\$25).

23 (b) The following shall apply:

24 (1) There is created in the General Fund a restricted
 25 receipts account to be known as the Professional Educator
 26 Discipline Account.

27 (2) The Professional Educator Discipline Account shall be
 28 funded by money received under this section and any interest
 29 derived from funds in the Professional Educator Discipline
 30 Account.

1 (3) The funds in the Professional Educator Discipline
2 Account shall be appropriated to the department for
3 administration, enforcement and adjudication by the department
4 and the Professional Standards and Practices Commission under
5 the act of December 12, 1973 (P.L.397, No.141), known as the
6 "Professional Educator Discipline Act."

7 (c) Notwithstanding any other provision of law, the
8 department may increase the fee established under subsection (a)
9 if the department determines that the cost of enforcement
10 exceeds the revenue generated by the fee and by all other fees,
11 fines and civil penalties provided for under the "Professional
12 Educator Discipline Act."

13 (d) Notwithstanding any other provision of law or
14 regulation, an individual who is a member of the United States
15 Armed Forces, including a reserve component or National Guard,
16 or a veteran, or the spouse of the member of the United States
17 Armed Forces or the spouse of the veteran, shall be required to
18 pay only the following fees to the department with respect to
19 the individual's certification:

20 (1) A certification fee not to exceed ten dollars (\$10).

21 (2) A professional educator discipline fee not to exceed
22 twenty-five dollars (\$25).

23 (e) For the purposes of this section, the term "veteran"
24 shall mean an individual who has served in the United States
25 Armed Forces, including a reserve component or National Guard,
26 and who was discharged or released from such service under
27 conditions other than dishonorable.

28 Section 4. This act shall take effect in 60 days.