

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1045 Session of
2007

INTRODUCED BY ROEBUCK, STAIRS, GRUCELA, CURRY, PALLONE,
WHEATLEY, YUDICHAK, LONGIETTI, BEYER, BIANCUCCI, BISHOP,
BUXTON, CALTAGIRONE, CARROLL, DALEY, DePASQUALE, FABRIZIO,
FRANKEL, FREEMAN, GALLOWAY, GIBBONS, MANN, McILHATTAN, MOYER,
MUNDY, M. O'BRIEN, PARKER, PETRARCA, READSHAW, SCAVELLO,
SIPTROTH, SOLOBAY, STABACK, STURLA AND YOUNGBLOOD,
APRIL 10, 2007

REFERRED TO COMMITTEE ON EDUCATION, APRIL 10, 2007

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," providing for payment for fees
6 associated with certification by the National Board for
7 Professional Teaching Standards.

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

10 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
11 as the Public School Code of 1949, is amended by adding an
12 article to read:

13 ARTICLE XI-B

14 CERTIFICATION OF TEACHERS BY THE NATIONAL BOARD FOR
15 PROFESSIONAL TEACHING STANDARDS

16 Section 1101-B. Definitions.

17 The following words and phrases when used in this article
18 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Department." The Department of Education of the
3 Commonwealth.

4 "Eligible teacher." A teacher who has:

5 (1) Completed three full years of teaching in a
6 Pennsylvania public school or area vocational-technical
7 school.

8 (2) Not previously received Commonwealth funds for
9 participating in any certification area of the NBPTS program.

10 (3) Not repaid any Commonwealth funds previously
11 received for the NBPTS certification process.

12 (4) Not received a waiver of repayment from the
13 Department of Education.

14 "National Board for Professional Teaching Standards" or
15 "NBPTS." The independent, nonprofit organization established in
16 1987 to establish high standards for teachers' knowledge and
17 performance and for development and operation of a national
18 voluntary system to assess and certify teachers who meet those
19 standards.

20 "Public school." A school operated by a school district or
21 an area vocational-technical school.

22 Section 1102-B. Program.

23 (a) Establishment.--A program to help defray the cost to
24 teachers of becoming certified by the National Board for
25 Professional Teaching Standards is established.

26 (b) Goal.--It is the goal of the Commonwealth to provide
27 opportunities and incentives for excellent teachers and to
28 retain them in the teaching profession. To attain this goal, the
29 Commonwealth shall support the efforts of teachers to achieve
30 national certification by providing reimbursement for approved

paid leave time for teachers participating in the certification process and paying the assessment fee for teachers who seek to attain national certification from the National Board for Professional Teaching Standards.

Section 1103-B. Payment of fees and paid leave.

Eligible teachers who participate in NBPTS certification shall be entitled to do so without loss of pay or time. To the extent funds are available, the Commonwealth shall do all of the following:

(1) Pay the cost of NBPTS assessment fees on behalf of an eligible teacher to become NBPTS certified.

(2) Reimburse school districts for the eligible teacher's paid leave for each day the eligible teacher participates in preparation for NBPTS certification, up to three days.

Section 1104-B. Priority.

(a) Schools in school improvement or corrective action.-- Eligible teachers who teach in schools identified as in school improvement or corrective action shall receive first priority for payment of assessment fees under this article. The eligible teachers' districts shall also receive first priority for leave reimbursement.

(b) Other priority.--Eligible teachers who teach mathematics or science at the secondary level or who teach special education or foreign languages shall receive second priority for payment of assessment fees under this article. The eligible teachers' districts shall also receive second priority for leave reimbursement.

Section 1105-B. Duties of eligible teachers.

(a) Completion of process.--An eligible teacher on whose

behalf the assessment fee is paid shall agree to complete the certification process or be subject to repayment as set forth in section 1106-B(a).

(b) Three-year commitment.--An eligible teacher on whose behalf the assessment fee is paid and who receives NBPTS certification shall, in addition to the requirement under subsection (a), agree to teach in a Pennsylvania school for a period of at least three years or be subject to repayment as set forth in section 1106-B(b). Eligible teachers who receive priority under section 1104-B and who receive NBPTS certification shall teach in that priority class for the three-year commitment period. If an eligible teacher receives priority under section 1104-B(a) and the school is removed from improvement or corrective action during the three-year commitment period, service in the same school or in another school identified as in school improvement or corrective action shall continue to fulfill the requirements of this subsection.

Section 1106-B. Repayment.

(a) Failure to complete the certification process.--When an eligible teacher for whom the Commonwealth has paid the assessment fee fails to complete the certification process, the teacher shall reimburse the Commonwealth for the amount of the assessment fee. A candidate who completes the certification process but is denied NBPTS certification shall not be subject to repayment pursuant to this subsection.

(b) Failure to continue teaching.--When an eligible teacher for whom the Commonwealth has paid the assessment fee fails to teach in a Pennsylvania school for three consecutive years after completing the certification process, the teacher shall reimburse the Commonwealth for the amount of the assessment fee.

1 The teacher shall certify to the department each year that the
2 teacher is in compliance with section 1105-B(b).

3 (c) Waiver of repayment.--Upon the application of the
4 eligible teacher, the department shall waive the repayment
5 requirement if the department finds that the teacher was unable
6 to complete the process or continue teaching in a priority class
7 or school identified as in school improvement or corrective
8 action due to administrative action on the part of the school
9 district or area vocational-technical school for other than
10 causes enumerated in section 1122, or continue teaching due to
11 illness of the teacher, the death or catastrophic illness of a
12 member of the teacher's immediate family, or parental leave to
13 care for a newborn or newly adopted child and may waive the
14 repayment requirement due to other extraordinary circumstances.

15 Section 1107-B. Applicability.

16 Eligible teachers who have paid NBPTS assessment fees any
17 time on or after January 1, 2006, but before the effective date
18 of this section shall be entitled to seek reimbursement from the
19 Commonwealth for the fees. Such teachers shall be subject to the
20 provisions of sections 1103-B, 1105-B and 1106-B.

21 Section 1108-B. Duties of department.

22 (a) Guidelines.--The department shall develop guidelines
23 necessary for the implementation of this article.

24 (b) Technical assistance.--To the extent funds are
25 available, the department shall provide technical assistance to
26 NBPTS applicants. The department may contract with one or more
27 institutions of higher education in order to provide technical
28 assistance.

29 Section 2. This act shall take effect immediately.