

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,
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SIPTROTH, SOLOBAY, STABACK, STURLA AND YOUNGBLOOD,
APRIL 10, 2007

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 10, 2008

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

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

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

5 "Eligible teacher." A teacher who has:

6 (1) Completed three full years of teaching in a
7 Pennsylvania public school, INTERMEDIATE UNIT or area <—
8 vocational-technical school.

9 (2) A CURRENT, FULL-TIME TEACHING POSITION IN A <—
10 PENNSYLVANIA PUBLIC SCHOOL, INTERMEDIATE UNIT OR AREA
11 VOCATIONAL-TECHNICAL SCHOOL.

12 ~~(2)~~ (3) Not previously received Commonwealth funds for <—
13 participating in any certification area of the NBPTS program.

14 ~~(3)~~ (4) Not repaid any Commonwealth funds previously <—
15 received for the NBPTS certification process.

16 ~~(4)~~ (5) Not received a waiver of repayment from the <—
17 Department of Education.

18 "National Board for Professional Teaching Standards" or
19 "NBPTS." The independent, nonprofit organization established in
20 1987 to establish high standards for teachers' knowledge and
21 performance and for development and operation of a national
22 voluntary system to assess and certify teachers who meet those
23 standards.

24 "Public school." A school operated by a school district, <—
25 CHARTER SCHOOL, CYBER CHARTER SCHOOL or an area vocational-
26 technical school.

27 Section 1102-B. Program.

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

(b) Goal.--It is the goal of the Commonwealth to provide opportunities and incentives for excellent teachers and to retain them in the teaching profession. To attain this goal, the Commonwealth shall support the efforts of teachers to achieve 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 ALL OR A PORTION OF the cost of NBPTS assessment fees on behalf of an eligible teacher to become NBPTS certified OR RECERTIFIED.

(2) Reimburse school districts for the eligible teacher's paid leave SUBSTITUTE FEES 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 SUBSTITUTE FEES reimbursement.

(b) Other priority.--Eligible teachers who teach EARLY CHILDHOOD EDUCATION, mathematics or science at the MIDDLE OR

1 secondary level or who teach special education or foreign
2 languages shall receive second priority for payment of
3 assessment fees under this article. The eligible teachers'
4 districts shall also receive second priority for leave <—
5 SUBSTITUTE FEES reimbursement. <—

6 Section 1105-B. Duties of eligible teachers.

7 (a) Completion of process.--An eligible teacher on whose
8 behalf the assessment fee is paid shall agree to complete the
9 certification process or be subject to repayment as set forth in
10 section 1106-B(a).

11 (b) Three-year commitment.--An eligible teacher on whose
12 behalf the assessment fee is paid and who receives NBPTS
13 certification shall, in addition to the requirement under
14 subsection (a), agree to teach in a Pennsylvania SERVE AS A <—
15 TEACHER OR ADMINISTRATOR IN A PENNSYLVANIA PUBLIC school for a
16 period of at least three years or be subject to repayment as set
17 forth in section 1106-B(b). Eligible teachers who receive
18 priority under section 1104-B and who receive NBPTS
19 certification shall teach in that priority class for the three-
20 year commitment period. If an eligible teacher receives priority
21 under section 1104-B(a) and the school is removed from
22 improvement or corrective action during the three-year
23 commitment period, service in the same school or in another
24 school identified as in school improvement or corrective action
25 shall continue to fulfill the requirements of this subsection.

26 Section 1106-B. Repayment.

27 (a) Failure to complete the certification process.--When an
28 eligible teacher for whom the Commonwealth has paid the
29 assessment fee fails to complete the certification process, the
30 teacher shall reimburse the Commonwealth for the amount of the

1 assessment fee. A candidate who completes the certification
2 process but is denied NBPTS certification shall not be subject
3 to repayment pursuant to this subsection.

4 (b) Failure to continue teaching.--When an eligible teacher
5 for whom the Commonwealth has paid the assessment fee fails to
6 teach in a Pennsylvania PUBLIC school for three consecutive <—
7 years after completing the certification process, the teacher
8 shall reimburse the Commonwealth for the amount of the
9 assessment fee. The teacher shall certify to the department each
10 year that the teacher is in compliance with section 1105-B(b).

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

23 ~~Section 1107-B. Applicability.~~ <—

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

29 ~~Section 1108-B 1107-B. Duties of department.~~ <—

30 (a) Guidelines.--The department shall develop guidelines

1 necessary for the implementation of this article.

2 (b) Technical assistance.--To the extent funds are
3 available, the department shall provide technical assistance to
4 NBPTS applicants. The department may contract with one or more
5 institutions of higher education OR INTERMEDIATE UNITS in order <—
6 to provide technical assistance.

7 Section 2. This act shall take effect immediately.