

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

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:

ARTICLE XI-B

CERTIFICATION OF TEACHERS BY THE NATIONAL BOARD FOR

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.



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.