

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 794 Session of 2009

INTRODUCED BY ROEBUCK, BISHOP, BRENNAN, BUXTON, CALTAGIRONE, CARROLL, DALEY, DeLUCA, FABRIZIO, FRANKEL, FREEMAN, GIBBONS, GRUCELA, HARKINS, KIRKLAND, KORTZ, LONGIETTI, MAHONEY, MANN, McILVAINE SMITH, MUNDY, M. O'BRIEN, PARKER, PASHINSKI, SCAVELLO, SIPTROTH, STURLA, WHEATLEY, JOSEPHS, W. KELLER, MILNE, OLIVER AND STABACK, MARCH 9, 2009

REFERRED TO COMMITTEE ON EDUCATION, MARCH 9, 2009

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 of 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, intermediate unit or area
7 vocational-technical school.

8 (2) A current, full-time teaching position in a
9 Pennsylvania public school, intermediate unit or area
10 vocational-technical school.

11 (3) Not previously received Commonwealth funds for
12 participating in any certification area of the NBPTS program.

13 (4) Not repaid any Commonwealth funds previously
14 received for the NBPTS certification process.

15 (5) Not received a waiver of repayment from the
16 Department of Education.

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

23 "Public school." A school operated by a school district,
24 charter school, cyber charter school or an area vocational-
25 technical school.

26 Section 1102-B. Program.

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

30 (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.

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 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
substitute fees reimbursement.

(b) Other priority.--Eligible teachers who teach early
childhood education, mathematics or science at the middle or
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 substitute fees
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 serve as a teacher or administrator in
a Pennsylvania public 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

1 to repayment pursuant to this subsection.

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

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

21 Section 1107-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 or intermediate units in order
28 to provide technical assistance.

29 Section 2. This act shall take effect immediately.