

## AMENDMENTS TO HOUSE BILL NO. 805

Sponsor: REPRESENTATIVE PASHINSKI

Printer's No. 1424

1 Amend Bill, page 1, line 7, by inserting after "form, "  
2 for rating system,

3 Amend Bill, page 1, line 10, by inserting after "suspension;  
4 "

5 in charter schools, further providing for provisions applicable  
6 to charter schools and to cyber charter schools;

7 Amend Bill, page 4, line 27, by striking out "Section 1124"  
8 and inserting

9 Sections 1123(a) and (o) and 1124

10 Amend Bill, page 4, line 28, by striking out "is" and  
11 inserting

12 are

13 Amend Bill, page 4, by inserting between lines 28 and 29

14 Section 1123. Rating System.--(a) In determining whether a  
15 professional employe shall be dismissed for incompetency or  
16 unsatisfactory teaching performance as provided for in section  
17 1122(a) of this act, and in rating professional employes and  
18 temporary professional employes, all professional employes and  
19 temporary professional employes, including charter and cyber  
20 charter school employes, shall be rated through the use of an  
21 approved rating tool developed by the Secretary of Education in  
22 consultation with education experts, parents of school-age  
23 children enrolled in a public school, teachers and  
24 administrators, including research and collaboration conducted  
25 by the department.

26 \* \* \*

27 (o) For purposes of this section:

28 (1) The term "assessment" shall mean the Pennsylvania System  
29 of School Assessment test, the Keystone Exam, an equivalent  
30 local assessment or another test established by the State Board  
31 of Education to meet the requirements of section

1 2603-B(d)(10)(i) and required under the No Child Left Behind Act  
2 of 2001 (Public Law 107-110, 115 Stat. 1425) or its successor  
3 statute or required to achieve other standards established by  
4 the department for the school or school district under 22 Pa.  
5 Code § 403.3 (relating to single accountability system).

6 (2) The term "chief school administrator" shall include  
7 individuals who are employed as a school district  
8 superintendent, an executive director of an intermediate unit or  
9 a chief school administrator of an area vocational-technical  
10 school or charter or cyber charter school.

11 (3) The term "classroom teacher" shall mean a professional  
12 employe or temporary professional employe or charter or cyber  
13 charter school employe who provides direct instruction to  
14 students related to a specific subject or grade level.

15 (4) The term "department" shall mean the Department of  
16 Education of the Commonwealth.

17 (5) The term "education specialist" shall have the meaning  
18 given to it under the act of December 12, 1973 (P.L.397,  
19 No.141), known as the "Professional Educator Discipline Act."

20 (6) The term "nonteaching professional employe" shall mean  
21 an education specialist or a professional employe or temporary  
22 professional employe or charter or cyber charter school employe  
23 who provides services other than classroom instruction.

24 (7) The term "performance improvement plan" shall mean a  
25 plan, designed by a district or charter or cyber charter school  
26 with input of the employe, that may include mentoring, coaching,  
27 recommendations for professional development and intensive  
28 supervision based on the contents of the rating tool provided  
29 for under this section.

30 (8) The term "principal" shall include a building principal,  
31 an assistant principal, a vice principal or a director of  
32 vocational education or charter or cyber charter school  
33 administrator.

34 \* \* \*

35 Amend Bill, page 10, by inserting after line 30

36 Section 5. Sections 1732-A(a) and 1749-A(a)(1) of the act,  
37 amended or added June 29, 2002 (P.L.524, No.88), are amended to  
38 read:

39 Section 1732-A. Provisions Applicable to Charter Schools.--

40 (a) Charter schools shall be subject to the following:

41 Sections 108, 110, 111, 321, 325, 326, 327, 431, 436, 443,  
42 510, 518, 527, 708, 736, 737, 738, 739, 740, 741, 752, 753, 755,  
43 771, 776, 777, 808, 809, 810, 1109, 1111, 1112(a), 1123, 1301,  
44 1310, 1317, 1317.1, 1317.2, 1318, 1327, 1330, 1332, 1303-A,  
45 1513, 1517, 1518, 1521, 1523, 1531, 1547, 2014-A, Article XIII-A  
46 and Article XIV.

47 Act of July 17, 1961 (P.L.776, No.341), known as the  
48 "Pennsylvania Fair Educational Opportunities Act."

49 Act of July 19, 1965 (P.L.215, No.116), entitled "An act

1 providing for the use of eye protective devices by persons  
2 engaged in hazardous activities or exposed to known dangers in  
3 schools, colleges and universities."

4 Section 4 of the act of January 25, 1966 (1965 P.L.1546,  
5 No.541), entitled "An act providing scholarships and providing  
6 funds to secure Federal funds for qualified students of the  
7 Commonwealth of Pennsylvania who need financial assistance to  
8 attend postsecondary institutions of higher learning, making an  
9 appropriation, and providing for the administration of this  
10 act."

11 Act of July 12, 1972 (P.L.765, No.181), entitled "An act  
12 relating to drugs and alcohol and their abuse, providing for  
13 projects and programs and grants to educational agencies, other  
14 public or private agencies, institutions or organizations."

15 Act of December 15, 1986 (P.L.1595, No.175), known as the  
16 "Antihazing Law."

17 \* \* \*

18 Section 1749-A. Applicability of other provisions of this act  
19 and of other acts and regulations.

20 (a) General requirements.--Cyber charter schools shall be  
21 subject to the following:

22 (1) Sections 108, 110, 111, 321, 325, 326, 327, 431,  
23 436, 443, 510, 518, 527, 708, 752, 753, 755, 771, 776, 777,  
24 808, 809, 810, 1109, 1111, 1112(a), 1123, 1205.1, 1205.2,  
25 1301, 1302, 1310, 1317.2, 1318, 1330, 1332, 1303-A, 1518,  
26 1521, 1523, 1531, 1547, 1702-A, 1703-A, 1714-A, 1715-A, 1716-  
27 A, 1719-A, 1721-A, 1722-A, 1723-A(a) and (b), 1724-A, 1725-A,  
28 1727-A, 1729-A, 1730-A, 1731-A(a) (1) and (b) and 2014-A and  
29 Articles XII-A, XIII-A and XIV.

30 \* \* \*

31 Amend Bill, page 11, line 1, by striking out "5" and

32 inserting

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