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," in professional employees, further
6 providing for definitions and for duty to employ.
7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 1101 of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended November 30, 1971 (P.L.546, No.144), is amended to read:
12 Section 1101. Definitions.--As used in this article,
13 (1) The term "professional employe" shall include those who
14 are certificated as teachers, supervisors, supervising
15 principals, principals, assistant principals, vice-principals,
16 directors of vocational education, dental hygienists, visiting
17 teachers, home and school visitors, school counselors, child
18 nutrition program specialists, school librarians, school
19 secretaries the selection of whom is on the basis of merit as
20 determined by eligibility lists and school nurses. The term also
includes those who hold noncertified positions and meet the qualifications provided in section 1106.

(2) The term "substitute" shall mean any individual who has been employed to perform the duties of a regular professional employe during such period of time as the regular professional employe is absent on sabbatical leave or for other legal cause authorized and approved by the board of school directors or to perform the duties of a temporary professional employe who is absent.

(3) The term "temporary professional employe" shall mean any individual who has been employed to perform, for a limited time, the duties of a newly created position or of a regular professional employe whose services have been terminated by death, resignation, suspension or removal.

Section 2. Section 1106 of the act, amended June 22, 2001 (P.L.530, No.35), is amended to read:

Section 1106. Duty to Employ.--(a) The board of school directors in every school district shall employ the necessary qualified professional employes, substitutes and temporary professional employes to keep the public schools open in their respective districts in compliance with the provisions of this act. Except for school districts of the first class and first class A which may require residency requirements for other than professional employes, substitutes and temporary professional employes, no other school district shall require an employe to reside within the school district as a condition for appointment or continued employment.

(b) At least seventy-five per centum (75%) of the professional employes shall hold appropriate State certification. The balance of professional employes shall be...
employed in noncertified positions and, while not required to hold appropriate State certification, must:

(1) Meet the qualifications in sections 1109 and 1209.
(2) Have demonstrated satisfactorily a combination of experience, achievement and qualifications in basic skills, general knowledge, professional knowledge and practice and subject matter knowledge in the subject area that they will teach.

Section 3. This act shall take effect in 60 days.