
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 903

Session of
1973

INTRODUCED BY DAGER, PANCOAST, GALLAGHER, FISCHER, WISE, BERKES
AND PARKER, MAY 1, 1973

REFERRED TO COMMITTEE ON EDUCATION, MAY 1, 1973

AN ACT

1 Relating to certification of teachers and creating a
2 Professional Standards and Practices Commission.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Definitions.--When used in this act, the
6 following words and phrases shall have the following meanings:

7 (1) "Teacher" shall mean any person who holds a valid
8 Pennsylvania teaching certificate.

9 (2) "Teach" shall mean to engage in the practice of teaching
10 or to provide related educational specialist, administrative or
11 supervisory services.

12 (3) "Approved school" shall mean all public schools and
13 nonpublic educational institutions of basic education in the
14 Commonwealth that have been granted a license or charter to
15 operate as a nursery school, elementary school, high school, or
16 their equivalents.

17 (4) "Commission" shall mean the Professional Standards and
18 Practices Commission.

1 Section 2. Teaching Without Certificate Prohibited.--No
2 person shall teach or offer to teach in any approved school in
3 the Commonwealth unless he holds a valid Pennsylvania teaching
4 certificate issued by the Secretary of Education and recorded in
5 the office of the Director of Professional Standards and
6 Practices in the Department of Education.

7 Section 3. Professional Standards and Practices
8 Commission.--There is hereby created a Professional Standards
9 and Practices Commission consisting of fifteen members appointed
10 by the Governor. The term of office of members of the commission
11 shall be three years commencing on January 1 of the year
12 following their appointment, except that original appointments
13 shall be for staggered terms of one, two and three years in
14 order that the terms of five members of the commission shall
15 expire each year thereafter. Vacancies shall be filled for an
16 unexpired term in the same manner as original appointments. No
17 person shall serve for more than two consecutive terms as a
18 member of the commission. The Governor may remove any member
19 from the commission for misconduct or malfeasance in office,
20 incapacity, or neglect of duty.

21 Section 4. Membership and Qualifications.--(a) The
22 membership of the Professional Standards and Practices
23 Commission shall consist of:

24 (1) Eight classroom teachers, including one educational
25 specialist, broadly representative of the teaching profession
26 from approved schools.

27 (2) Three administrators from approved schools.

28 (3) Three faculty members from approved institutions of
29 higher learning in the Commonwealth offering approved teacher
30 education programs.

1 (4) One member from the general public who shall be a parent
2 of a pupil attending an approved school.

3 (b) Appointments shall be made by the Governor from panels
4 of nominees submitted by Statewide professional organizations
5 which certify that the panels include only representatives of
6 the category of professional personnel for which the panel or
7 panels of nominees are submitted.

8 (c) All members of the commission except the person
9 representing the general public shall hold a valid permanent
10 Pennsylvania teaching certificate and shall have been actively
11 engaged in teaching or providing related educational,
12 administrative or supervisory services in an approved school or
13 approved institution of higher education with approved teacher
14 education programs for at least five of the eight years
15 immediately preceding their appointment. All members of the
16 commission shall be residents of the Commonwealth of
17 Pennsylvania.

18 Section 5. Power and Duties.--(a) The Professional Standards
19 and Practices Commission shall have the power and its duty shall
20 be:

21 (1) To recommend to the State Board of Education standards
22 for certification of teachers to render professional services in
23 the approved schools of the Commonwealth and for accreditation
24 of teacher education programs and to evaluate teacher education
25 and certification program services and activities to determine
26 the effectiveness in terms of the annual and long-range program
27 plans and to recommend changes to the State Board of Education
28 as indicated by such evaluations.

29 (2) To adopt standards and codes of ethics for teachers in
30 approved schools and establish procedures for receiving and

1 acting upon charges regarding violations thereof.

2 (3) To investigate complaints against any teacher in regard
3 to alleged violation of standards and codes of ethics adopted by
4 the commission. Following such investigation, the commission may
5 (i) dismiss the complaint, (ii) issue a written warning or
6 reprimand, or (iii) by a vote of two-thirds of the members,
7 after hearing, of which reasonable notice in writing was given
8 to the parties interested, at which the parties interested shall
9 have the right to be heard in person or by counsel or both, and
10 from which an appeal may be taken as now provided under the
11 provisions of the Administrative Agency Law, direct the
12 Department of Education to annul the certificate, or endorsement
13 of the certificate of another state, as the case may be, of the
14 teacher for wilful violation of the standards and codes of
15 ethics adopted by the commission. The hearing herein provided
16 for shall be open to the public except when a request that the
17 hearing be private is submitted to the commission by the teacher
18 against whom the complaint is brought prior to the time set for
19 the hearing.

20 (4) To issue subpoenas to compel the attendance of witnesses
21 before the commission or any members thereof, in the same manner
22 as any court in this State. Whenever the testimony of any
23 witness upon any matter pending before it is material, the
24 chairman shall cause the attendance of the witnesses before the
25 commission or any members of the commission, to testify
26 concerning the matter, and the commission may make a reasonable
27 allowance for this purpose not exceeding the fees of witnesses
28 in civil cases.

29 (5) To adopt rules and regulations as may be necessary to
30 carry out the purposes of this act, including an appeals

1 procedure.

2 (6) Nothing in this act shall be construed to prevent
3 organizations of the teaching profession from adopting measures
4 designed to improve the standards and practices of ethics and
5 academic freedom among their members and in their relationships
6 with other persons and groups.

7 (b) All teachers' certificates in force in this Commonwealth
8 at the time this act goes into effect shall continue in full
9 force and effect, subject to all the terms and conditions under
10 which they were issued, until they expire by virtue of their own
11 limitations, unless they are sooner annulled for the reasons and
12 in the manner provided by law.

13 Section 6. Organization and Meetings of the Commission.--The
14 commission shall annually select a chairman and vice-chairman by
15 ballot. Meetings shall be held at least four times per year at
16 the call of the chairman or upon request in writing of a
17 majority of the commission. A majority shall constitute a quorum
18 and a majority of such quorum shall have authority to act upon
19 any matter properly before the commission. The first meeting of
20 the commission shall be held within six months of the effective
21 date of this act.

22 Section 7. Expenses.--Members of the commission shall
23 receive no compensation for their services, but shall be
24 reimbursed for their actual and necessary expenses incurred in
25 the performance of official commission business. A member of the
26 commission who is an employe of an agency of the Commonwealth,
27 or any of its political subdivisions including school districts,
28 shall be permitted to attend commission meetings and perform
29 other commission duties without loss of income or other
30 benefits. A member of the commission who is employed by a

1 private institution shall be reimbursed for any income lost as a
2 result of attendance at commission meetings or performance of
3 other official commission duties. An agency of the Commonwealth,
4 or any of its political subdivisions, including school
5 districts, which employs a member of the commission and employs
6 a person to replace such member during his performance of
7 commission duties, or incurs other additional expenses as a
8 result of such performance, shall be reimbursed for the actual
9 amount of any costs so incurred.

10 Section 8. Director of Professional Standards and
11 Practices.--There shall be a Director of Professional Standards
12 and Practices who shall serve as the executive officer and
13 secretary of the commission. The director shall be appointed by
14 the Governor. The Department of Education shall provide adequate
15 space, equipment, staff, secretarial and administrative
16 assistance to facilitate the activities of the commission.

17 The commission shall keep minutes of its meetings and report
18 annually to the Governor, the General Assembly, the teaching
19 profession and the public.

20 Section 9. Appropriation.--The sum of fifty thousand dollars
21 (\$50,000), or as much thereof as may be necessary, is hereby
22 specifically appropriated to the Professional Standards and
23 Practices Commission.

24 Section 10. Effective Date.--This act shall take effect
25 immediately.