
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 903

Session of
1973

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

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
JULY 16, 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

1 Practices Commission.

2 (5) "EDUCATION SPECIALIST" SHALL MEAN A PERSON EMPLOYED BY <—
3 AN APPROVED SCHOOL AS A CERTIFIED GUIDANCE COUNSELOR, NURSE,
4 HOME AND SCHOOL VISITOR, PSYCHOLOGIST, DENTAL HYGIENIST,
5 INSTRUCTIONAL MEDIA SPECIALIST OR NUTRITION SPECIALIST.

6 Section 2. Certification Requirements.--No person shall
7 teach ~~or offer to teach~~ in any approved school in the <—
8 Commonwealth unless he has met the certification requirements as
9 established by the State Board of Education which are applicable
10 to the institution where he is employed.

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

27 Section 4. Membership and Qualifications.--(a) The
28 membership of the Professional Standards and Practices
29 Commission shall consist of:

30 (1) Eight classroom teachers, including one educational

1 specialist, broadly representative of the teaching profession
2 from approved schools.

3 (2) Three administrators from approved schools.

4 (3) Two faculty members from approved institutions of higher
5 learning in the Commonwealth offering approved teacher education
6 programs.

7 (4) One administrator from an approved institution of higher
8 learning in the Commonwealth offering approved teacher education
9 programs.

10 (5) One college student currently enrolled in a program of
11 teacher education in an approved institution of higher learning
12 in the Commonwealth offering approved teacher education
13 programs.

14 (6) One member from the general public who shall be a parent
15 of a pupil attending an approved school.

16 (b) Except for the representative of the general public, and
17 the student representative, the Governor in making appointments
18 shall consider recommendations from panels of nominees submitted
19 by Statewide organizations of professional educators which
20 certify that the panels include only representatives of the
21 category of professional personnel for which the panel or panels
22 of nominees are submitted and further provided that any
23 professional organization of educators submitting a panel or
24 panels shall certify that the organization maintains a
25 membership category of professional personnel for which the
26 panel or panels of nominees are submitted.

27 (c) All members of the commission except the persons
28 representing the college students and general public shall have
29 been actively engaged in teaching or providing related
30 educational, administrative or supervisory services in an

1 approved school or approved institution of higher education with
2 approved teacher education programs for at least five of the
3 eight years immediately preceding their appointment. A person
4 appointed to the commission who leaves the Commonwealth to
5 become domiciled in another state or whose employment status
6 changes to a category different from that for which he was
7 appointed shall have his position on the commission deemed
8 vacated.

9 Section 5. Power and Duties.--(a) The Professional Standards
10 and Practices Commission shall have the power and its duty shall
11 be:

12 (1) To recommend to the State Board of Education standards
13 for certification of teachers to render professional services in
14 the approved schools of the Commonwealth and for accreditation
15 of teacher education programs and to evaluate teacher education
16 and certification program services and activities to determine
17 the effectiveness in terms of the annual and long-range program
18 plans and to recommend changes to the State Board of Education
19 as indicated by such evaluations.

20 (2) To recommend to the State Board of Education standards
21 of PROFESSIONAL practice ~~and codes of ethics~~ for teachers in <—
22 approved schools.

23 (3) To recommend to the State Board of Education procedures
24 which assure that actions resulting from alleged WILFUL <—
25 violations of the standards of PROFESSIONAL practice ~~and codes~~ <—
26 ~~of ethics~~ referred to in subsection (2) will comply with due
27 process.

28 (4) In order to make the recommendations referred to in
29 subsections (1), (2) and (3) above, the Department of Education
30 shall furnish all information the commission deems necessary.

1 (5) To adopt rules and regulations as may be necessary to
2 carry out the purposes of this act. THE COMMISSION SHALL HOLD <—
3 PUBLIC HEARINGS AND TAKE TESTIMONY CONCERNING PROPOSED
4 RECOMMENDATIONS WHICH SHALL BE PRESENTED TO THE STATE BOARD OF
5 EDUCATION.

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

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

17 Section 6. Organization and Meetings of the Commission.--The
18 commission shall annually select a chairman and vice-chairman by
19 ballot. Meetings shall be held at least four times per year at
20 the call of the chairman or upon request in writing of a
21 majority of the commission. A majority shall constitute a quorum
22 and a majority of such quorum shall have authority to act upon
23 any matter properly before the commission. The first meeting of
24 the commission shall be held within six months of the effective
25 date of this act. MEETINGS OF THE COMMISSION SHALL BE OPEN TO <—
26 THE PUBLIC AND THE DIRECTOR OF PROFESSIONAL STANDARDS AND
27 PRACTICES SHALL BE RESPONSIBLE FOR SEEING THAT NOTICES OF
28 MEETINGS OF THE COMMISSION ARE PROPERLY CIRCULATED.

29 Section 7. Expenses.--Members of the commission shall
30 receive no compensation for their services, but shall be

1 reimbursed for their actual and necessary expenses incurred in
2 the performance of official commission business. A member of the
3 commission who is an employe of an agency of the Commonwealth,
4 or any of its political subdivisions including school districts,
5 shall be permitted to attend commission meetings and perform
6 other commission duties without loss of income or other
7 benefits. A member of the commission who is employed by a
8 private employer shall be reimbursed for any income lost as a
9 result of attendance at commission meetings or performance of
10 other official commission duties.

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

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

22 Section 9. Professional Standards Committee; Abolition.--The
23 Professional Standards Committee established under Chapter 49 of
24 the Regulations of the State Board of Education is hereby
25 abolished.

26 Section 10. Effective Date.--This act shall take effect
27 immediately.