

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 571 Session of  
1991

INTRODUCED BY STAIRS, COY, NOYE, TRELLO, JADLOWIEC, PESCI,  
HERMAN, CARLSON, MICOZZIE, PHILLIPS, G. SNYDER, HALUSKA,  
JOHNSON, GRUPPO, MARKOSEK, VAN HORNE, FOX, ITKIN, BELARDI,  
D. W. SNYDER, WOGAN, SERAFINI, BUNT, CAWLEY, CARONE,  
E. Z. TAYLOR, TELEK AND KASUNIC, MARCH 12, 1991

REFERRED TO COMMITTEE ON EDUCATION, MARCH 12, 1991

AN ACT

1 Amending Title 24 (Education) of the Pennsylvania Consolidated  
2 Statutes, further defining "approved leave of absence";  
3 defining "maternity leave of absence"; and further providing  
4 for creditable nonschool service.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. The definition of "approved leave of absence" in  
8 section 8102 of Title 24 of the Pennsylvania Consolidated  
9 Statutes is amended and the section is amended by adding a  
10 definition to read:

11 § 8102. Definitions.

12 The following words and phrases when used in this part shall  
13 have, unless the context clearly indicates otherwise, the  
14 meanings given to them in this section:

15 \* \* \*

16 "Approved leave of absence." A leave of absence which has  
17 been approved by the employer for sabbatical leave, service as

1 an exchange teacher, [or] professional study or maternity leave  
2 of absence required by the employer.

3 \* \* \*

4 "Maternity leave of absence." An involuntary leave of  
5 absence required by the employer because of the pregnancy of the  
6 member and occurring prior to May 17, 1975.

7 \* \* \*

8 Section 2. Section 8304(b) of Title 24 is amended to read:  
9 § 8304. Creditable nonschool service.

10 \* \* \*

11 (b) Limitations on nonschool service.--Creditable nonschool  
12 service credit shall be limited to:

13 (1) Intervening military service.

14 (2) Other military service not exceeding five years.

15 (3) Service in any public school or public educational  
16 institution in any state other than this Commonwealth or in  
17 any territory or area under the jurisdiction of the United  
18 States. This paragraph includes service, prior to July 1,  
19 1965, at a community college established under the act of  
20 August 24, 1963 (P.L.1132, No.484), known as the Community  
21 College Act of 1963.

22 (4) Service as an administrator, teacher, or instructor  
23 in the field of public school education for any agency or  
24 department of the government of the United States whether or  
25 not such area was under the jurisdiction of the United  
26 States.

27 (5) Previous service as an employee of a county board of  
28 school directors which employment was terminated because of  
29 the transfer of the administration of such service or of the  
30 entire agency to a governmental entity.

(6) Previous service as a county employee as a nurse.  
For every three years or major fraction thereof in previous work experience, an individual may buy one year of creditable service, not to exceed a total of five years. The purchase of this service shall begin within three years of the employee's eligibility to purchase this creditable service.

(7) Creditable service for the period of time spent on a maternity leave of absence, required by the employer, which creditable service shall not exceed two years per leave and shall be applicable only to a maternity leave which was mandatory prior to May 17, 1975.

\* \* \*

Section 3. Section 8324 of Title 24 is amended by adding a subsection to read:

§ 8324. Contributions for purchase of credit for creditable nonschool service.

\* \* \*

(f) Creditable maternity leave.--Contributions on account of Class T-C credit for creditable maternity leave pursuant to section 8304(b)(7) shall be determined by applying the member's basic contribution rate plus the normal contribution rate as provided in section 8328, at the time of the member's return to school service, to the total compensation received during the first year of subsequent school service, and multiplying the product by the number of years and fractional part of a year of creditable service being purchased, together with statutory interest during all periods of subsequent school or State service to the date of purchase. The amount paid for the purchase of credit for creditable maternity leave shall not be eligible for withdrawal as a lump sum under section

1 8345(a)(4)(iii).

2 Section 4. This act shall take effect in 60 days.