

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 794 Session of
2009

INTRODUCED BY ROEBUCK, BISHOP, BRENNAN, BUXTON, CALTAGIRONE,
CARROLL, DALEY, DeLUCA, FABRIZIO, FRANKEL, FREEMAN, GIBBONS,
GRUCELA, HARKINS, KIRKLAND, KORTZ, LONGIETTI, MAHONEY, MANN,
McILVAINE SMITH, MUNDY, M. O'BRIEN, PARKER, PASHINSKI,
SCAVELLO, SIPTROTH, STURLA, WHEATLEY, JOSEPHS, W. KELLER,
MILNE, OLIVER AND STABACK, MARCH 9, 2009

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 18, 2009

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," providing for payment of fees
6 associated with certification by the National Board for
7 Professional Teaching Standards.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
11 as the Public School Code of 1949, is amended by adding an
12 article to read:

ARTICLE XI-BCERTIFICATION OF TEACHERS BY THE NATIONAL BOARD FORPROFESSIONAL TEACHING STANDARDS

16 Section 1101-B. Definitions.

17 The following words and phrases when used in this article
18 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Department." The Department of Education of the
3 Commonwealth.

4 "Eligible teacher." A teacher who has:

5 ~~(1) Completed three full years of teaching in a~~
6 ~~Pennsylvania public school, intermediate unit or area~~
7 ~~vocational technical school.~~

8 ~~(2) A current, full-time teaching position in a~~
9 ~~Pennsylvania public school, intermediate unit or area~~
10 ~~vocational technical school.~~

11 ~~(3) Not previously received Commonwealth funds for~~
12 ~~participating in any certification area of the NBPTS program.~~

13 ~~(4) Not repaid any Commonwealth funds previously~~
14 ~~received for the NBPTS certification process.~~

15 ~~(5) Not received a waiver of repayment from the~~
16 ~~Department of Education.~~

17 (1) IS A CURRENT PENNSYLVANIA RESIDENT.

18 (2) CURRENTLY HOLDS A VALID PENNSYLVANIA TEACHING
19 CERTIFICATION IN GOOD STANDING.

20 (3) HAS COMPLETED THREE FULL YEARS OF TEACHING OR SCHOOL
21 COUNSELING IN A PENNSYLVANIA PUBLIC SCHOOL, INTERMEDIATE UNIT
22 OR AREA VOCATIONAL-TECHNICAL SCHOOL.

23 (4) HOLDS A CURRENT, FULL-TIME TEACHING OR SCHOOL
24 COUNSELING POSITION IN A PENNSYLVANIA PUBLIC SCHOOL,
25 INTERMEDIATE UNIT OR AREA VOCATIONAL-TECHNICAL SCHOOL.

26 (5) HAS NOT PREVIOUSLY RECEIVED COMMONWEALTH FUNDS FOR
27 PARTICIPATING IN ANY CERTIFICATION AREA OF THE NBPTS PROGRAM.

28 (6) HAS NOT REPAID ANY COMMONWEALTH FUNDS PREVIOUSLY
29 RECEIVED FOR THE NBPTS CERTIFICATION PROCESS.

30 (7) HAS NOT RECEIVED A WAIVER OF REPAYMENT FROM THE

1 DEPARTMENT OF EDUCATION.

2 "National Board for Professional Teaching Standards" or
3 "NBPTS." The independent, nonprofit organization established in
4 1987 to establish high standards for teachers' knowledge and
5 performance and for development and operation of a national
6 voluntary system to assess and certify teachers who meet those
7 standards.

8 "Public school." A school operated by a school district,
9 INTERMEDIATE UNIT, charter school, cyber charter school or an ←
10 area vocational-technical school.

11 Section 1102-B. Program.

12 (a) Establishment.--A program to help defray the cost to
13 teachers of becoming certified by the National Board for
14 Professional Teaching Standards is established.

15 (b) Goal.--It is the goal of the Commonwealth to provide
16 opportunities and incentives for excellent teachers and to
17 retain them in the teaching profession. To attain this goal, the
18 Commonwealth shall support the efforts of teachers to achieve
19 national certification by providing reimbursement for approved ←
20 paid leave time for TO PUBLIC SCHOOLS FOR SUBSTITUTE FEES ←

21 ASSOCIATED WITH teachers participating in the certification
22 process and paying the assessment fee for teachers who seek to
23 attain national certification from the National Board for
24 Professional Teaching Standards.

25 Section 1103-B. Payment of fees.

26 Eligible teachers who participate in NBPTS certification ←
27 shall be entitled to do so without loss of pay or time. To the
28 extent funds are available, the Commonwealth shall do all of the
29 following:

30 (1) Pay all or a portion of the cost of NBPTS assessment

fees on behalf of an eligible teacher to become NBPTS
certified or recertified.

(2) Reimburse school districts for substitute fees for
each day the eligible teacher participates in preparation for
NBPTS certification, up to three days.

Section 1104-B. Priority.

(a) Schools in school improvement or corrective action.--
Eligible teachers who teach in schools identified as in school
improvement or corrective action shall receive first priority
for payment of assessment fees under this article. The eligible
teachers' districts shall also receive first priority for
substitute fees reimbursement.

(b) Other priority.--Eligible teachers who teach early
childhood education, mathematics or science at the middle or
secondary level or who teach special education or foreign
languages shall receive second priority for payment of
assessment fees under this article. The eligible teachers'
districts shall also receive second priority for substitute fees
reimbursement.

Section 1105-B. Duties of eligible teachers.

(a) Completion of process.--An eligible teacher on whose
behalf the assessment fee is paid shall agree to complete the
certification process or be subject to repayment as set forth in
section 1106-B(a).

(b) Three-year commitment.--An eligible teacher on whose
behalf the assessment fee is paid and who receives NBPTS
certification shall, in addition to the requirement under
subsection (a), agree to serve as a teacher or administrator in
a Pennsylvania public school for a period of at least three
years or be subject to repayment as set forth in section 1106-

B(b). Eligible teachers who receive priority under section 1104-B and who receive NBPTS certification shall teach in that priority class for the three-year commitment period. If an eligible teacher receives priority under section 1104-B(a) and the school is removed from improvement or corrective action during the three-year commitment period, service in the same school or in another school identified as in school improvement or corrective action shall continue to fulfill the requirements of this subsection.

Section 1106-B. Repayment.

(a) Failure to complete the certification process.--When an eligible teacher for whom the Commonwealth has paid the assessment fee fails to complete the certification process, the teacher shall reimburse the Commonwealth for the amount of the assessment fee. A candidate who completes the certification process but is denied NBPTS certification shall not be subject to repayment pursuant to this subsection.

(b) Failure to continue teaching.--When an eligible teacher for whom the Commonwealth has paid the assessment fee fails to
teach in a Pennsylvania public school for three consecutive
years after completing the certification process~~MEET THE~~
REQUIREMENTS OF SECTION 1105-B(B), the teacher shall reimburse
the Commonwealth for the amount of the assessment fee. The
teacher shall certify to the department each year that the
teacher is in compliance with section 1105-B(b).

(c) Waiver of repayment.--Upon the application of the
eligible teacher, the department shall waive the repayment
requirement if the department finds that the teacher was unable
to complete the process or~~continue~~MEET THE REQUIREMENTS OF
SECTION 1105-B(B) FOR teaching in a priority class or school

1 identified as in school improvement or corrective action due to
2 administrative action on the part of the school district or area
3 vocational-technical school for other than causes enumerated in
4 section 1122, or continue teaching due to illness of the
5 teacher, the death or catastrophic illness of a member of the
6 teacher's immediate family, or parental leave to care for a
7 newborn or newly adopted child and may waive the repayment
8 requirement due to other extraordinary circumstances.

9 Section 1107-B. Duties of department.

10 (a) Guidelines.--The department shall develop guidelines
11 necessary for the implementation of this article.

12 (b) Technical assistance.--To the extent funds are
13 available, the department shall provide technical assistance to
14 NBPTS applicants. The department may contract with one or more
15 institutions of higher education or intermediate units in order
16 to provide technical assistance.

17 Section 2. This act shall take effect immediately.