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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1252 Session of  
2010

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INTRODUCED BY DINNIMAN, PICCOLA, FONTANA, COSTA, ERICKSON,  
O'PAKE, MUSTO, FARNESE AND STACK, FEBRUARY 26, 2010

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REFERRED TO EDUCATION, FEBRUARY 26, 2010

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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:

13 ARTICLE XI-B

14 CERTIFICATION OF TEACHERS BY THE NATIONAL BOARD FOR

15 PROFESSIONAL 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  
19 context clearly indicates otherwise:

20 "Department." The Department of Education of the

1 Commonwealth.

2 "Eligible teacher." A teacher who:

3 (1) Is a current Pennsylvania resident.

4 (2) Currently holds a valid Pennsylvania teaching  
5 certification in good standing.

6 (3) Has completed three full years of teaching or school  
7 counseling in a Pennsylvania public school.

8 (4) Holds a current, full-time teaching or school  
9 counseling position in a Pennsylvania public school.

10 (5) Has not previously received Commonwealth funds for  
11 participating in any certification area of the NBPTS program.

12 (6) Has not repaid any Commonwealth funds previously  
13 received for the NBPTS certification process.

14 (7) Has not received a waiver of repayment from the  
15 Department of Education.

16 "National Board for Professional Teaching Standards" or  
17 "NBPTS." The independent, nonprofit organization established in  
18 1987 to establish high standards for teachers' knowledge and  
19 performance and for development and operation of a national  
20 voluntary system to assess and certify teachers who meet those  
21 standards.

22 "Public school." A school operated by a school district,  
23 intermediate unit, charter school, cyber charter school or an  
24 area vocational-technical school.

25 Section 1102-B. Program.

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

29 (b) Goal.--It is the goal of the Commonwealth to provide  
30 opportunities and incentives for excellent teachers and to

1 retain them in the teaching profession. To attain this goal, the  
2 Commonwealth shall support the efforts of teachers to achieve  
3 national certification by providing reimbursement in accordance  
4 with section 1103-B to public schools for substitute fees  
5 associated with teachers participating in the certification  
6 process and paying the assessment fee for teachers who seek to  
7 attain national certification from the National Board for  
8 Professional Teaching Standards.

9 Section 1103-B. Payment of fees.

10 To the extent funds are available, the Commonwealth shall do  
11 all of the following:

12 (1) Pay all or a portion of the cost of NBPTS assessment  
13 fees on behalf of an eligible teacher to become NBPTS  
14 certified or recertified.

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

18 Section 1104-B. Priority.

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

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

1 reimbursement.

2 Section 1105-B. Duties of eligible teachers.

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

7 (b) Three-year commitment.--An eligible teacher on whose  
8 behalf the assessment fee is paid and who receives NBPTS  
9 certification shall, in addition to the requirement under  
10 subsection (a), agree to serve as a teacher or administrator in  
11 a Pennsylvania public school for a period of at least three  
12 years or be subject to repayment as set forth in section 1106-  
13 B(b). Eligible teachers who receive priority under section 1104-  
14 B and who receive NBPTS certification shall teach in that  
15 priority class for the three-year commitment period. If an  
16 eligible teacher receives priority under section 1104-B(a) and  
17 the school is removed from improvement or corrective action  
18 during the three-year commitment period, service in the same  
19 school or in another school identified by the department as in  
20 school improvement or corrective action shall continue to  
21 fulfill the requirements of this subsection.

22 Section 1106-B. Repayment.

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

30 (b) Failure to continue teaching.--When an eligible teacher

1 for whom the Commonwealth has paid the assessment fee fails to  
2 meet the requirements of section 1105-B(b), the teacher shall  
3 reimburse the Commonwealth for the amount of the assessment fee.  
4 The teacher shall certify to the department each year that the  
5 teacher is in compliance with section 1105-B(b).

6 (c) Waiver of repayment.--Upon the application of the  
7 eligible teacher, the department shall waive the repayment  
8 requirement if the department finds that the teacher was unable  
9 to complete the process or meet the requirements of section  
10 1105-B(b) for teaching in a priority class or school identified  
11 by the department as in school improvement or corrective action  
12 due to administrative action on the part of the school district  
13 or area vocational-technical school for other than causes  
14 enumerated in section 1122, or continue teaching due to illness  
15 of the teacher, the death or catastrophic illness of a member of  
16 the teacher's immediate family, or parental leave to care for a  
17 newborn or newly adopted child and may waive the repayment  
18 requirement due to other extraordinary circumstances.

19 Section 1107-B. Duties of department.

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

22 (b) Technical assistance.--To the extent funds are  
23 available, the department shall provide technical assistance to  
24 NBPTS applicants. The department may contract with one or more  
25 institutions of higher education or intermediate units in order  
26 to provide technical assistance.

27 Section 2. This act shall take effect immediately.