

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 412 Session of 2021

INTRODUCED BY GLEIM, RYAN, PICKETT, JAMES, MOUL, ECKER, HILL-
EVANS, ROWE, KAUFFMAN, KEEFER, FREEMAN, B. MILLER AND
R. BROWN, FEBRUARY 4, 2021

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 4, 2021

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," in professional employes, providing
6 for day-to-day substitutes; and, in certification of
7 teachers, further providing for substitute teaching permit
8 for prospective teachers and for program of continuing
9 professional education.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

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

15 Section 1114. Day-to-Day Substitutes.--(a) (1) An
16 individual holding a day-to-day substitute permit issued by the
17 department may serve as a day-to-day substitute in any
18 certificate area for a period not exceeding twenty (20) days of
19 substituting for a professional employe. If the individual's
20 service exceeds twenty (20) days of substituting for a
21 professional employe, a long-term substitute permit issued by

1 the department is required.

2 (2) An individual holding a day-to-day substitute permit
3 under paragraph (1) may serve as a day-to-day substitute for
4 more than one professional employe within a school year, even if
5 the individual serves as a substitute for more than twenty (20)
6 cumulative days.

7 (b) (1) An individual holding a day-to-day substitute
8 permit issued by a chief school administrator may serve as a
9 day-to-day substitute in any certificate area for a period not
10 exceeding twenty (20) days of substituting for a professional
11 employe. If a person's service exceeds twenty (20) days of
12 substituting for a professional employe, an emergency permit
13 pursuant to 22 Pa. Code § 49.31 (relating to criteria for
14 eligibility) issued by the department is required.

15 (2) An individual holding a day-to-day substitute permit
16 under paragraph (1) may serve as a day-to-day substitute for
17 more than one professional employe within a school year, even if
18 the individual serves as a substitute for more than twenty (20)
19 cumulative days.

20 (3) As used in this subsection, the term "chief school
21 administrator" shall include a school district superintendent,
22 an executive director of an intermediate unit, an administrative
23 director of an area career and technical school or a chief
24 executive officer of a charter school, regional charter school
25 or cyber charter school.

26 (c) The department shall update certification staffing
27 guidelines to comply with this section.

28 (d) As used in this section, the following words and phrases
29 shall have the meanings given to them in this subsection unless
30 the context clearly indicates otherwise:

1 "Day-to-day substitute permit" shall mean a permit issued for
2 no longer than twenty (20) consecutive days to fill a position
3 due to the absence of professional certified personnel.

4 "Emergency permit" shall mean a permit issued to fill a
5 vacancy resulting from resignation, termination, retirement,
6 death or the creation of a new position.

7 "Long-term substitute permit" shall mean a permit issued for
8 an indeterminate period to fill a position due to the absence of
9 professional certified personnel.

10 Section 2. Section 1201.1(a) introductory paragraph and (b)
11 of the act, amended October 30, 2019 (P.L.460, No.76), are
12 amended to read:

13 Section 1201.1. Substitute Teaching Permit for Prospective
14 Teachers.--[(a)] An individual who does not hold a certificate
15 under section 1201 shall be eligible to teach as a substitute in
16 a school district, an area career and technical school or an
17 intermediate unit provided that:

18 * * *

19 [(b) This section shall expire on June 30, 2021.]

20 Section 3. Section 1205.2(k) (3) of the act is amended to
21 read:

22 Section 1205.2. Program of Continuing Professional
23 Education.--* * *

24 (k) A professional educator who is not employed by a school
25 entity as a professional or temporary professional employe may
26 apply to the department for inactive certification. Inactive
27 certification shall:

28 * * *

29 (3) Disqualify an individual from being employed by a school
30 entity as a professional or temporary employe. An individual

1 with inactive certification who is not an annuitant as defined
2 in 24 Pa.C.S. § 8102 (relating to definitions) or 71 Pa.C.S. §
3 5102 (relating to definitions) may be employed as a substitute
4 teacher, principal, superintendent or assistant superintendent
5 in accordance with the endorsement on the individual's
6 certificate or letter of eligibility for no more than [ninety
7 (90)] one hundred twenty (120) days during a school year.

8 * * *

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