

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, R. BROWN, ZIMMERMAN, SAYLOR, N. NELSON, GAYDOS, GILLEN AND JONES, FEBRUARY 4, 2021

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 11, 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 EMPLOYEES, <--
6 providing for day-to-day substitutes; and, in certification
7 of 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 AN INDIVIDUAL PROFESSIONAL OR <--
20 TEMPORARY PROFESSIONAL employe. If the individual's service

1 ~~exceeds twenty (20) days of substituting for a professional AN~~ <--  
2 ~~INDIVIDUAL PROFESSIONAL OR TEMPORARY PROFESSIONAL employe, a~~  
3 ~~long-term substitute permit issued by the department is~~  
4 ~~required.~~

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

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

20 (2) An individual holding a day-to-day substitute permit  
21 under paragraph (1) may serve as a day-to-day substitute for  
22 more than one professional OR TEMPORARY PROFESSIONAL employe <--  
23 within a school year, even if the individual serves as a  
24 substitute for more than twenty (20) cumulative days.

25 ~~(3) As used in this subsection, the term "chief school~~ <--  
26 ~~administrator" shall include a school district superintendent,~~  
27 ~~an executive director of an intermediate unit, an administrative~~  
28 ~~director of an area career and technical school or a chief~~  
29 ~~executive officer of a charter school, regional charter school~~  
30 ~~or cyber charter school.~~

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

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

6 "CHIEF SCHOOL ADMINISTRATOR" SHALL INCLUDE A SCHOOL DISTRICT <--  
7 SUPERINTENDENT, AN EXECUTIVE DIRECTOR OF AN INTERMEDIATE UNIT,  
8 AN ADMINISTRATIVE DIRECTOR OF AN AREA CAREER AND TECHNICAL  
9 SCHOOL OR A CHIEF EXECUTIVE OFFICER OF A CHARTER SCHOOL,  
10 REGIONAL CHARTER SCHOOL OR CYBER CHARTER SCHOOL.

11 "Day-to-day substitute permit" shall mean a permit issued for <--  
12 no longer than twenty (20) consecutive days to fill a position  
13 due to the absence of professional certified personnel. BY THE <--  
14 DEPARTMENT OR A CHIEF SCHOOL ADMINISTRATOR TO FILL A POSITION  
15 DUE TO THE TEMPORARY ABSENCE OF A PROFESSIONAL OR TEMPORARY  
16 PROFESSIONAL EMPLOYE AND FOR WHICH A LONG-TERM SUBSTITUTE PERMIT  
17 IS NOT REQUIRED.

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

21 "Long-term substitute permit" shall mean a permit issued for <--  
22 an indeterminate period to fill a position due to the absence of  
23 professional certified personnel. BY THE DEPARTMENT THAT ALLOWS <--  
24 A PERSON TO SUBSTITUTE FOR AN INDIVIDUAL PROFESSIONAL OR  
25 TEMPORARY PROFESSIONAL EMPLOYE FOR MORE THAN TWENTY (20) DAYS.

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

29 Section 1201.1. Substitute Teaching Permit for Prospective  
30 Teachers.--[(a)] An individual who does not hold a certificate

1 under section 1201 shall be eligible to teach as a substitute in  
2 a school district, an area career and technical school or an  
3 intermediate unit provided that:

4 \* \* \*

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

6 Section 3. Section 1205.2(k)(3) of the act is amended to  
7 read:

8 Section 1205.2. Program of Continuing Professional  
9 Education.--\* \* \*

10 (k) A professional educator who is not employed by a school  
11 entity as a professional or temporary professional employe may  
12 apply to the department for inactive certification. Inactive  
13 certification shall:

14 \* \* \*

15 (3) Disqualify an individual from being employed by a school  
16 entity as a professional or temporary employe. An individual  
17 with inactive certification who is not an annuitant as defined  
18 in 24 Pa.C.S. § 8102 (relating to definitions) or 71 Pa.C.S. §  
19 5102 (relating to definitions) may be employed as a substitute  
20 teacher, principal, superintendent or assistant superintendent  
21 in accordance with the endorsement on the individual's  
22 certificate or letter of eligibility for no more than [ninety  
23 (90)] ~~one hundred twenty (120)~~ ONE HUNDRED EIGHTY (180) days <--  
24 during a school year.

25 \* \* \*

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