

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 903

Session of
1973

INTRODUCED BY MESSRS. DAGER, PANCOAST, GALLAGHER, FISCHER, WISE,
BERKES, AND PARKER, MAY 1, 1973

SENATOR REIBMAN, EDUCATION, IN SENATE, AS AMENDED,
OCTOBER 10, 1973

AN ACT

1 Relating to certification of teachers IN THE PUBLIC SCHOOLS OF <—
2 THE COMMONWEALTH and creating a Professional Standards and
3 Practices Commission.

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

6 Section 1. Definitions.--When used in this act, the
7 following words and phrases shall have the following meanings:

8 (1) "Teacher" shall mean any person who holds a valid
9 Pennsylvania teaching certificate.

10 (2) "Teach" shall mean to engage in the practice of teaching
11 IN THE PUBLIC SCHOOLS OF THE COMMONWEALTH or to provide related <—
12 educational specialist, administrative or supervisory services
13 IN SUCH SCHOOLS. <—

14 ~~(3) "Approved school" shall mean all public schools and <—~~
15 ~~nonpublic educational institutions of basic education in the~~
16 ~~Commonwealth that have been granted a license or charter to~~
17 ~~operate as a nursery school, elementary school, high school, or~~

1 ~~their equivalents.~~

2 ~~(4)~~ (3) "Commission" shall mean the Professional Standards
3 and Practices Commission.

4 ~~(5)~~ (4) "Education specialist" shall mean a person employed <—
5 by ~~an approved~~ A PUBLIC school as a certified guidance <—
6 counselor, nurse, home and school visitor, psychologist, dental
7 hygienist, instructional media specialist or nutrition
8 specialist.

9 Section 2. Certification Requirements.--No person shall
10 teach in ~~any approved~~ A PUBLIC school in the Commonwealth unless <—
11 he has met the certification requirements as established by the
12 State Board of Education which are applicable to the institution
13 where he is employed.

14 Section 3. Professional Standards and Practices
15 Commission.--There is hereby created a Professional Standards
16 and Practices Commission consisting of sixteen members appointed
17 by the Governor. The term of office of members of the
18 commission, except the student member whose term shall be one
19 year, shall be three years commencing on January 1 of the year
20 following their appointment, except that original appointments
21 shall be for staggered terms of one, two and three years in
22 order that the terms of five members of the commission shall
23 expire each year thereafter. Vacancies shall be filled for an
24 unexpired term in the same manner as original appointments. No
25 person shall serve for more than two consecutive terms as a
26 member of the commission. The Governor may remove any member
27 from the commission for misconduct or malfeasance in office,
28 incapacity, or neglect of duty. All members of the commission
29 shall be residents of the Commonwealth of Pennsylvania.

30 Section 4. Membership and Qualifications.--(a) The

1 membership of the Professional Standards and Practices

2 Commission shall consist of:

3 (1) Eight classroom teachers, including one educational
4 specialist, broadly representative of the teaching profession
5 from ~~approved~~ PUBLIC schools. <—

6 (2) Three administrators from ~~approved~~ PUBLIC schools. <—

7 (3) Two faculty members from approved institutions of higher
8 learning in the Commonwealth offering approved teacher education
9 programs.

10 (4) One administrator from an approved institution of higher
11 learning in the Commonwealth offering approved teacher education
12 programs.

13 (5) One college student currently enrolled in a program of
14 teacher education in an approved institution of higher learning
15 in the Commonwealth offering approved teacher education
16 programs.

17 (6) One member from the general public who shall be a parent
18 of a pupil attending ~~an approved~~ A PUBLIC school. <—

19 (b) Except for the representative of the general public, and
20 the student representative, the Governor in making appointments
21 shall consider recommendations from panels of nominees submitted
22 by Statewide organizations of professional educators which
23 certify that the panels include only representatives of the
24 category of professional personnel for which the panel or panels
25 of nominees are submitted and further provided that any
26 professional organization of educators submitting a panel or
27 panels shall certify that the organization maintains a
28 membership category of professional personnel for which the
29 panel or panels of nominees are submitted.

30 (c) All members of the commission except the persons

1 representing the college students and general public shall have
2 been actively engaged in teaching or providing related
3 educational, administrative or supervisory services in ~~an~~ <—
4 ~~approved~~ A PUBLIC school or approved institution of higher <—
5 education with approved teacher education programs for at least
6 five of the eight years immediately preceding their appointment.
7 A person appointed to the commission who leaves the Commonwealth
8 to become domiciled in another state or whose employment status
9 changes to a category different from that for which he was
10 appointed shall have his position on the commission deemed
11 vacated.

12 Section 5. Power and Duties.--(a) The Professional Standards
13 and Practices Commission shall have the power and its duty shall
14 be:

15 (1) To recommend to the State Board of Education standards
16 for certification of teachers to render professional services in
17 the ~~approved~~ PUBLIC schools of the Commonwealth and for <—
18 accreditation of teacher education programs and to evaluate
19 teacher education and certification program services and
20 activities to determine the effectiveness in terms of the annual
21 and long-range program plans and to recommend changes to the
22 State Board of Education as indicated by such evaluations.

23 (2) To recommend to the State Board of Education standards
24 of professional practice for teachers in ~~approved~~ PUBLIC <—
25 schools.

26 (3) To recommend to the State Board of Education procedures
27 which assure that actions resulting from alleged wilful
28 violations of the standards of professional practice referred to
29 in subsection (2) will comply with due process.

30 (4) In order to make the recommendations referred to in

1 subsections (1), (2) and (3) above, the Department of Education
2 shall furnish all information the commission deems necessary.

3 (5) To adopt rules and regulations as may be necessary to
4 carry out the purposes of this act. The commission shall hold
5 public hearings and take testimony concerning proposed
6 recommendations which shall be presented to the State Board of
7 Education.

8 (6) Nothing in this act shall be construed to prevent
9 organizations of the teaching profession from adopting measures
10 designed to improve the standards and practices of ethics and
11 academic freedom among their members and in their relationships
12 with other persons and groups.

13 (b) All teachers' certificates in force in this Commonwealth
14 at the time this act goes into effect shall continue in full
15 force and effect, subject to all the terms and conditions under
16 which they were issued, until they expire by virtue of their own
17 limitations, unless they are sooner annulled for the reasons and
18 in the manner provided by law.

19 Section 6. Organization and Meetings of the Commission.--The
20 commission shall annually select a chairman and vice-chairman by
21 ballot. Meetings shall be held at least four times per year at
22 the call of the chairman or upon request in writing of a
23 majority of the commission. A majority shall constitute a quorum
24 and a majority of such quorum shall have authority to act upon
25 any matter properly before the commission. The first meeting of
26 the commission shall be held within six months of the effective
27 date of this act. Meetings of the commission shall be open to
28 the public and the Director of Professional Standards and
29 Practices shall be responsible for seeing that notices of
30 meetings of the commission are properly circulated.

1 Section 7. Expenses.--Members of the commission shall
2 receive no compensation for their services, but shall be
3 reimbursed for their actual and necessary expenses incurred in
4 the performance of official commission business. A member of the
5 commission who is an employe of an agency of the Commonwealth,
6 or any of its political subdivisions including school districts,
7 shall be permitted to attend commission meetings and perform
8 other commission duties without loss of income or other
9 benefits. A member of the commission who is employed by a
10 private employer shall be reimbursed for any income lost as a
11 result of attendance at commission meetings or performance of
12 other official commission duties.

13 Section 8. Director of Professional Standards and
14 Practices.--There shall be a Director of Professional Standards
15 and Practices who shall serve as the executive officer and
16 secretary of the commission. The director shall be appointed by
17 the Secretary of Education after consultation with the
18 commission. The Department of Education shall provide adequate
19 space, equipment, staff, secretarial and administrative
20 assistance to facilitate the activities of the commission.

21 The commission shall keep minutes of its meetings and report
22 annually to the Governor, the General Assembly, the teaching
23 profession and the public.

24 Section 9. Professional Standards Committee; Abolition.--The
25 Professional Standards Committee established under Chapter 49 of
26 the Regulations of the State Board of Education is hereby
27 abolished.

28 Section 10. Effective Date.--This act shall take effect
29 immediately.