

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 647 Session of 2005

INTRODUCED BY VANCE, EARLL, O'PAKE, RAFFERTY, WAUGH, M. WHITE,  
BOSCOLA AND WONDERLING, APRIL 28, 2005

REFERRED TO EDUCATION, APRIL 28, 2005

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," further providing for  
6 disqualifications relating to teacher's certificate.

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

9 Section 1. Section 1209 of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949,  
11 amended April 15, 1959 (P.L.41, No.16) and June 24, 1959  
12 (P.L.485, No.110), is amended to read:

13 Section 1209. Disqualifications.--No teacher's certificate  
14 shall be granted to any person who [has]:

15 (1) Has not submitted, upon a blank furnished by the  
16 [Superintendent of Public Instruction] Secretary of Education, a  
17 certificate from a physician [legally qualified to practice  
18 medicine], certified registered nurse practitioner or physician  
19 assistant licensed or certified in this Commonwealth, or in any

1 other state or the District of Columbia, setting forth that  
2 [said] the applicant is neither mentally nor physically  
3 disqualified[, ] by reason of [tuberculosis or any other] a  
4 communicable disease or [by reason of] mental disorder from  
5 successful performance of the duties of a teacher[; nor to any  
6 person who has not].

7 (2) Does not have a good moral character[, or who is].

8 (3) Is in the habit of using opium or other narcotic drugs  
9 in any form, or any intoxicating drink as a beverage[, or to any  
10 applicant who has].

11 (4) Has a major physical disability or defect, unless [such  
12 a] the person submits a certificate signed by an official of the  
13 college or university from which [he] the person was graduated  
14 or of an appropriate rehabilitation agency, certifying that in  
15 the opinion of [such] the official the applicant, by [his] work  
16 and activities, has demonstrated that [he] the applicant is  
17 sufficiently adjusted, trained and motivated to perform the  
18 duties of a teacher, notwithstanding [his] the applicant's  
19 impediment.

20 Section 2. Any regulations of the Department of Education  
21 that are inconsistent with this act are hereby abrogated to the  
22 extent of the inconsistency.

23 Section 3. This act shall take effect in 60 days.