

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 842 Session of 2007

INTRODUCED BY GRUCELA, CALTAGIRONE, SURRA, COHEN, GEORGE, CREIGHTON, FREEMAN, DALLY, GODSHALL, HESS, KIRKLAND, KULA, McILHATTAN, M. O'BRIEN, O'NEILL, PETRONE, PYLE, RAPP, REICHLEY, SCAVELLO, McILVAINE SMITH, CAPPELLI, EACHUS, M. KELLER, RUBLEY, MUNDY, JOSEPHS, YOUNGBLOOD, PETRARCA, WANSACZ, KOTIK, FABRIZIO, BOYD, JAMES, KING, COSTA, TANGRETTI, THOMAS, BEYER, KENNEY, GIBBONS, SIPTROTH AND PALLONE, MARCH 19, 2007

SENATOR RHOADES, EDUCATION, IN SENATE, AS AMENDED, JUNE 5, 2007

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 program of
6 continuing professional development.

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

9 ~~Section 1. Section 1205.2 of the act of March 10, 1949~~ <—
10 ~~(P.L.30, No.14), known as the Public School Code of 1949, is~~
11 ~~amended by adding a subsection to read:~~

12 ~~Section 1205.2. Program of Continuing Professional~~
13 ~~Education. * * *~~

14 ~~(i.1) The following shall apply:~~

15 ~~(1) Notwithstanding the provisions of this section, the~~
16 ~~department may only inactivate a certificate between June 30 and~~

1 ~~July 31, inclusive, and may only do so due to an educator's~~
2 ~~failure to comply with the requirements of this act, if a notice~~
3 ~~of inactive certification is issued and at least thirty one (31)~~
4 ~~days have passed from the date of the notice required by~~
5 ~~subsection (h)(4).~~

6 ~~(2) If an educator appeals the department's determination~~
7 ~~that the educator's certification is inactive under subsection~~
8 ~~(i), the effective date of the secretary's determination shall~~
9 ~~be as follows:~~

10 ~~(i) June 30, in cases where the certificate is determined to~~
11 ~~be inactive on or prior to June 30; or~~

12 ~~(ii) in cases where the certificate is determined to be~~
13 ~~inactive between June 30 and July 31, on the date of the~~
14 ~~determination.~~

15 * * *

16 SECTION 1. SECTION 1205.2(H) AND (I) OF THE ACT OF MARCH 10, <—
17 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949,
18 AMENDED OR ADDED NOVEMBER 23, 1999 (P.L.529, NO.48) AND JULY 13,
19 2005 (P.L.226, NO.46), ARE AMENDED TO READ:

20 SECTION 1205.2. PROGRAM OF CONTINUING PROFESSIONAL
21 EDUCATION.--* * *

22 (H) THE DEPARTMENT SHALL PROVIDE THE FOLLOWING INFORMATION
23 TO PROFESSIONAL EDUCATORS AND SCHOOL ENTITIES:

24 (1) NOTICE OF THE NUMBER OF CREDITS OR HOURS NEEDED FOR A
25 PROFESSIONAL EDUCATOR TO COMPLY WITH THIS SECTION, AS OF THE
26 DATE ON WHICH SUCH NOTICE IS GIVEN. SUCH NOTICE SHALL BE
27 PROVIDED NO LATER TWELVE (12) MONTHS PRIOR TO THE END OF A
28 PROFESSIONAL EDUCATOR'S FIVE-YEAR COMPLIANCE PERIOD. FOR
29 PROFESSIONAL EDUCATORS WHO HAVE NOT COMPLETED SUFFICIENT CREDITS
30 OR HOURS TO COMPLY WITH THIS SECTION, SUCH NOTICE SHALL BE

1 PROVIDED IN WRITING AND MAILED TO THE MOST RECENT ADDRESS ON
2 RECORD WITH THE DEPARTMENT. FOR PROFESSIONAL EDUCATORS WHO HAVE
3 COMPLETED SUFFICIENT CREDITS OR HOURS TO COMPLY WITH THIS
4 SECTION, SUCH NOTICE SHALL BE PROVIDED BY ELECTRONIC MEANS,
5 WHICH SHALL INCLUDE A NOTATION ON THE ELECTRONIC SYSTEM
6 MAINTAINED BY THE DEPARTMENT PURSUANT TO SUBSECTION (G)
7 AFFIRMING THAT THE PROFESSIONAL EDUCATOR HAS COMPLETED
8 SUFFICIENT CREDITS OR HOURS TO COMPLY WITH THIS SECTION.

9 (2) REASONABLE ACCESS TO REPORTS AND RECORDS RELATING TO A
10 PROFESSIONAL EDUCATOR'S CONTINUING PROFESSIONAL EDUCATION.

11 (3) NOTICE OF INACTIVE CERTIFICATION REQUESTED BY A
12 PROFESSIONAL EDUCATOR.

13 (4) NOTICE OF INACTIVE CERTIFICATION DUE TO FAILURE OF THE
14 PROFESSIONAL EDUCATOR TO MEET THE REQUIREMENTS OF THIS SECTION,
15 WHETHER OR NOT THE INDIVIDUAL IS EMPLOYED BY A SCHOOL ENTITY.
16 THE NOTICE SHALL BE PROVIDED NO LATER THAN THIRTY-ONE (31) DAYS
17 PRIOR TO THE DATE ON WHICH A PROFESSIONAL EDUCATOR'S CERTIFICATE
18 IS PLACED IN INACTIVE STATUS, PROVIDED, THAT THE DEPARTMENT MAY
19 ONLY PLACE A PROFESSIONAL EDUCATOR'S CERTIFICATE IN INACTIVE
20 STATUS BETWEEN JUNE 30 AND JULY 31.

21 (5) NOTICE OF REINSTATEMENT.

22 * * *

23 (I) THE SECRETARY OF EDUCATION SHALL PROVIDE AN EDUCATOR
24 WITH THE OPPORTUNITY TO APPEAL ANY DETERMINATION THAT THE
25 EDUCATOR'S CERTIFICATION IS INACTIVE PURSUANT TO 2 PA.C.S. CHS.
26 5 (RELATING TO PRACTICE AND PROCEDURE) AND 7 (RELATING TO
27 JUDICIAL REVIEW). IF THE SECRETARY DETERMINES THAT AN EDUCATOR'S
28 CERTIFICATE IS INACTIVE UNDER THIS SUBSECTION, THE EFFECTIVE
29 DATE OF THE DETERMINATION SHALL BE BETWEEN JUNE 30 AND JULY 31.

30 * * *

1 Section 2. This act shall take effect ~~in 60 days~~

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2 IMMEDIATELY.

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