
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1087 Session of
2011

INTRODUCED BY PICCOLA AND DINNIMAN, JUNE 3, 2011

REFERRED TO EDUCATION, JUNE 3, 2011

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 employees, further
6 providing for rating system.

7 The General Assembly finds that:

8 (1) Quality classroom teachers are critical to the
9 success of this Commonwealth's school system, to the
10 education of children and to the development of a well-
11 educated and capable work force.

12 (2) It is imperative that this Commonwealth have in
13 place a thorough and effective means of evaluating and rating
14 the quality of classroom teachers.

15 (3) For a teacher evaluation and rating system to be
16 thorough and effective, it is essential that the system
17 include student performance as an element in measuring
18 teacher quality.

19 (4) This Commonwealth's existing system for evaluating
20 and rating the quality of classroom teachers requires

1 updating to include student performance as a factor to be
2 considered in measuring teacher quality.

3 (5) This act is intended to allow the Department of
4 Education to begin its work of revising this Commonwealth's
5 teacher evaluation and rating system, with the expectation
6 that future enactments will provide for new methods and
7 criteria for teacher evaluation and rating in greater detail.

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

10 Section 1. Section 1123 of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949,
12 amended March 29, 1996 (P.L.47, No.16), is amended to read:

13 Section 1123. Rating System.--

14 (a) (1) In determining whether a professional employe shall
15 be dismissed for incompetency or unsatisfactory teaching
16 performance as provided for in section 1122(a) of this act, and
17 in rating the services of a temporary professional employe, the
18 professional employe or temporary professional employe shall be
19 rated by an approved rating system which shall give due
20 consideration to personality, preparation, technique[,] and
21 pupil reaction, in accordance with standards and regulations for
22 such scoring as defined by rating cards to be prepared by the
23 Department of Education, and to be revised, from time to time,
24 by the Department of Education with the cooperation and advice
25 of a committee appointed by the Secretary of Education,
26 including representation from district superintendents of
27 schools, classroom teachers, school directors, school
28 supervisors, parents of school-age children enrolled in a public
29 school, a representative from a college or department of
30 education within a higher education institution located within

1 this Commonwealth, and such other groups or interests as the
2 Secretary of Education may deem appropriate.

3 (2) In addition to the factors enumerated in paragraph (1),
4 the rating shall also give due consideration to student
5 performance.

6 (3) Rating shall be done by or under the supervision of the
7 superintendent of schools or, if so directed by him, the same
8 may be done by an assistant superintendent, a supervisor, or a
9 principal, who has supervision over the work of the professional
10 employee or temporary professional employee who is being rated:
11 Provided, That no unsatisfactory rating shall be valid unless
12 approved by the district superintendent.

13 (b) (1) Notwithstanding the process for revising rating
14 cards under subsection (a), the Department of Education shall
15 revise and implement the use of rating cards in conformity with
16 the provisions of subsection (a) relating to consideration of
17 student performance by not later than January 1, 2012. In
18 revising rating cards under this paragraph, the Department of
19 Education shall consult with classroom teachers, school
20 administrators, parents of school-age children enrolled in a
21 public school, school board members and representatives of
22 institutions of higher education.

23 (2) The Department of Education shall provide periodic
24 reports to the chairman and minority chairman of the Education
25 Committee of the Senate and the chairman and minority chairman
26 of the Education Committee of the House of Representatives
27 describing the status of the revision of rating cards under
28 paragraph (1). Periodic reports required under this paragraph
29 shall be due on September 1, 2011, November 1, 2011, and January
30 1, 2012. The periodic report due on September 1, 2011, shall

1 include a proposal by the Department of Education for a
2 comprehensive revision of the professional employe rating
3 system.

4 (c) Upon implementation of the revised rating cards
5 described in this section, the rating form contained in 22 Pa.
6 Code Ch. 351 (relating to teacher tenure hearings) and any
7 alternative rating forms approved pursuant to 22 Pa. Code Ch.
8 351 shall be null and void.

9 (d) The provisions of subsections (a) (2), (b) and (c) shall
10 expire June 30, 2012.

11 Section 2. This act shall take effect in 60 days.