

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2078 Session of
2015

INTRODUCED BY PHILLIPS-HILL, DeLISSIO, KLUNK, BOBACK, LONGIETTI,
YOUNGBLOOD, ROZZI, GROVE, DAVIDSON, WATSON AND GABLER,
MAY 19, 2016

REFERRED TO COMMITTEE ON EDUCATION, MAY 19, 2016

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 certification of teachers, further
6 providing for issuing permanent college certificates, for
7 program of continuing professional education and for
8 professional educator discipline fee.

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

11 Section 1. Section 1205 of the act of March 10, 1949
12 (P.L.30, No.14), known as the Public School Code of 1949,
13 amended July 22, 1970 (P.L.540, No.183), is amended to read:

14 Section 1205. Issuing Permanent College Certificates.--The
15 [Superintendent of Public Instruction] Secretary of Education
16 shall issue a permanent college certificate to every graduate of
17 an approved college or university, and of such departments
18 therein as are approved by him, when such graduate furnishes
19 satisfactory evidence of good moral character and successful
20 experience of three years' teaching on a provisional college

1 certificate in approved elementary or secondary schools, in
2 private institutions from which the Department of [Public
3 Instruction] Education purchases services on a tuition basis,
4 and in state-aided and state-owned secondary schools, and has
5 completed such work in education as may be required by the
6 standards of the State Board of Education. Such work in
7 education shall not exceed that required as of the time of
8 graduation of such graduates from colleges or universities
9 approved by the State Board of Education. Such certificate shall
10 entitle its holder to teach without further examination. The
11 Department of Education shall process an application for
12 permanent college certification submitted by an individual who
13 is a member of the United States Armed Forces, including a
14 reserve component or National Guard, or a veteran, or the spouse
15 of the member of the United States Armed Forces or the spouse of
16 the veteran, within fourteen (14) days of the date the
17 department received the completed application. For the purposes
18 of this section, the term "veteran" shall mean an individual who
19 has served in the United States Armed Forces, including a
20 reserve component or National Guard, and who was discharged or
21 released from such service under conditions other than
22 dishonorable.

23 Section 2. Section 1205.2(k) of the act, amended June 22,
24 2001 (P.L.530, No.35), is amended to read:

25 Section 1205.2. Program of Continuing Professional
26 Education.--* * *

27 (k) A professional educator who is not employed by a school
28 entity as a professional or temporary professional employe may
29 apply to the department for inactive certification. Inactive
30 certification shall:

1 (1) Suspend the requirements of this section until inactive
2 certification is removed by the department. Upon the removal of
3 inactive certification, a professional educator shall have the
4 same number of hours of continuing professional education and
5 the same amount of time in which to complete those hours as
6 existed for the professional educator at the time inactive
7 certification was granted.

8 (2) [Be] Except as provided under paragraph (2.1), be
9 removed by the department upon the application of the
10 professional educator and evidence of the completion of thirty
11 (30) hours of continuing professional education within the
12 immediate preceding twelve (12) months. The department shall
13 establish guidelines to approve courses that will authorize the
14 removal of inactive certification.

15 (2.1) Be removed by the department upon the application of a
16 professional educator who satisfies all of the following:

17 (i) holds a valid professional certificate issued by another
18 state;

19 (ii) provides evidence of current compliance with the
20 continuing education requirements of the other state; and

21 (iii) was employed on the certificate in the other state
22 within the year prior to the application.

23 Upon the removal of inactive certification, a professional
24 educator shall have the same number of hours of continuing
25 professional education and the same amount of time in which to
26 complete those hours as existed for the professional educator at
27 the time voluntary inactive certification was granted.

28 (3) Disqualify an individual from being employed by a school
29 entity as a professional or temporary employee. An individual
30 with inactive certification may be employed as a substitute

1 teacher, principal, superintendent or assistant superintendent
2 in accordance with the endorsement on the individual's
3 certificate or letter of eligibility for no more than ninety
4 (90) days during a school year.

5 * * *

6 Section 3. Section 1216.1 of the act, added July 9, 2013
7 (P.L.408, No.59), is amended to read:

8 Section 1216.1. Professional Educator Discipline Fee.--(a)
9 [In] Except as provided under subsection (d), in addition to any
10 application fee established by the Department of Education, an
11 applicant for certification from the department shall pay a
12 professional educator discipline fee of twenty-five dollars
13 (\$25).

14 (b) The following shall apply:

15 (1) There is created in the General Fund a restricted
16 receipts account to be known as the Professional Educator
17 Discipline Account.

18 (2) The Professional Educator Discipline Account shall be
19 funded by money received under this section and any interest
20 derived from funds in the Professional Educator Discipline
21 Account.

22 (3) The funds in the Professional Educator Discipline
23 Account shall be appropriated to the department for
24 administration, enforcement and adjudication by the department
25 and the Professional Standards and Practices Commission under
26 the act of December 12, 1973 (P.L.397, No.141), known as the
27 "Professional Educator Discipline Act."

28 (c) Notwithstanding any other provision of law, the
29 department may increase the fee established under subsection (a)
30 if the department determines that the cost of enforcement

1 exceeds the revenue generated by the fee and by all other fees,
2 fines and civil penalties provided for under the "Professional
3 Educator Discipline Act."

4 (d) Notwithstanding any other provision of law or
5 regulation, an individual who is a member of the United States
6 Armed Forces, including a reserve component or National Guard,
7 or a veteran, or the spouse of the member of the United States
8 Armed Forces or the spouse of the veteran, shall be required to
9 pay only the following fees to the department with respect to
10 the individual's certification:

11 (1) A certification fee not to exceed ten dollars (\$10).

12 (2) A professional educator discipline fee not to exceed
13 twenty-five dollars (\$25).

14 (e) For the purposes of this section, the term "veteran"
15 shall mean an individual who has served in the United States
16 Armed Forces, including a reserve component or National Guard,
17 and who was discharged or released from such service under
18 conditions other than dishonorable.

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