

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1386 Session of 2017

INTRODUCED BY PHILLIPS-HILL, GROVE, D. MILLER, RAPP, TALLMAN, WHEELAND, ZIMMERMAN AND WATSON, JUNE 12, 2017

SENATOR EICHELBERGER, EDUCATION, IN SENATE, AS AMENDED, SEPTEMBER 25, 2018

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,
6 providing for instructional certificate grade spans and age
7 levels AND DUTIES OF DEPARTMENT. <--

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

10 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
11 as the Public School Code of 1949, is amended by adding a
12 section to read:

13 ~~Section 1202.1. Instructional Certificate Grade Spans and <--~~
14 ~~Age Levels. (a) Notwithstanding 22 Pa. Code § 49.85 (relating~~
15 ~~to limitations), the grade spans and age levels for~~
16 ~~instructional certificates issued after December 31, 2021, shall~~
17 ~~be as follows:~~

18 ~~(1) Early childhood prekindergarten, kindergarten, grades~~
19 ~~one (1) through four (4) or ages three (3) through nine (9).~~

1 ~~(2) Elementary kindergarten, grades one (1) through six~~  
2 ~~(6) or ages four (4) through eleven (11).~~

3 ~~(3) Middle grades six (6) through nine (9) or ages eleven~~  
4 ~~(11) through fifteen (15).~~

5 ~~(4) Secondary grades seven (7) through twelve (12) or ages~~  
6 ~~eleven (11) through twenty one (21).~~

7 ~~(5) Specialized areas prekindergarten through grade twelve~~  
8 ~~(12) or up to age twenty one (21).~~

9 ~~(6) Special education prekindergarten through grade twelve~~  
10 ~~(12) or up to age twenty one (21). An additional content area~~  
11 ~~shall not be required for a special education certificate issued~~  
12 ~~in accordance with this section.~~

13 ~~(b) Certificates issued in accordance with 22 Pa. Code §~~  
14 ~~49.85(a) and (b) shall remain valid for the term of the~~  
15 ~~certificate.~~

16 ~~(c) An individual holding Elementary/Middle Certificates~~  
17 ~~issued in accordance with 22 Pa. Code § 49.85(b) (2) shall have~~  
18 ~~the opportunity to expand the scope of the individual's~~  
19 ~~certificate to meet the grade levels covered under subsection~~  
20 ~~(a) (2) and (3) by a process determined by the Department of~~  
21 ~~Education, which shall include, but not be limited to,~~  
22 ~~continuing education credits or the satisfactory outcome of a~~  
23 ~~PRAXIS assessment for the specific certification level.~~

24 ~~(d) An individual holding Special Education PK 8 and Special~~  
25 ~~Education 7-12 level certificates issued in accordance with 22~~  
26 ~~Pa. Code § 49.85(b) (5) and (6) shall have the opportunity to~~  
27 ~~expand the scope of the individual's certificate to meet the~~  
28 ~~grade levels covered under subsection (a) (6) by a process~~  
29 ~~determined by the Department of Education, which shall include,~~  
30 ~~but not be limited to, continuing education credits or the~~

1 ~~satisfactory outcome of a PRAXIS assessment for the specific~~  
2 ~~certification level.~~

3 SECTION 1202.1. INSTRUCTIONAL CERTIFICATE GRADE SPANS AND <--  
4 AGE LEVELS AND DUTIES OF DEPARTMENT.--(A) THE FOLLOWING SHALL  
5 APPLY TO SPECIAL EDUCATION CERTIFICATES:

6 (1) NOTWITHSTANDING 22 PA. CODE § 49.85 (RELATING TO  
7 LIMITATIONS), THE GRADE SPAN AND AGE LEVELS FOR SPECIAL  
8 EDUCATION CERTIFICATES ISSUED AFTER DECEMBER 31, 2021, SHALL BE  
9 PREKINDERGARTEN THROUGH GRADE TWELVE OR UP TO TWENTY-ONE (21)  
10 YEARS OF AGE. AN ADDITIONAL CONTENT AREA SHALL NOT BE REQUIRED  
11 FOR A SPECIAL EDUCATION CERTIFICATE ISSUED IN ACCORDANCE WITH  
12 THIS SECTION.

13 (2) SPECIAL EDUCATION CERTIFICATES ISSUED IN ACCORDANCE WITH  
14 22 PA. CODE § 49.85(A) AND (B) SHALL REMAIN VALID FOR THE TERM  
15 OF THE CERTIFICATE.

16 (3) AN INDIVIDUAL HOLDING SPECIAL EDUCATION-PK-8 AND SPECIAL  
17 EDUCATION-7-12 LEVEL CERTIFICATES ISSUED IN ACCORDANCE WITH 22  
18 PA. CODE § 49.85(B) (5) AND (6) SHALL HAVE THE OPPORTUNITY TO  
19 EXPAND THE SCOPE OF THE INDIVIDUAL'S CERTIFICATE TO MEET THE  
20 GRADE LEVELS COVERED UNDER PARAGRAPH (1) BY A PROCESS DETERMINED  
21 BY THE DEPARTMENT OF EDUCATION, WHICH SHALL INCLUDE, BUT NOT BE  
22 LIMITED TO, CONTINUING EDUCATION CREDITS OR ATTAINING QUALIFYING  
23 SCORES ON THE ASSESSMENT MADE AVAILABLE BY THE DEPARTMENT OF  
24 EDUCATION FOR THE SPECIFIC CERTIFICATION LEVEL.

25 (B) THE DEPARTMENT OF EDUCATION SHALL HAVE THE FOLLOWING  
26 DUTIES:

27 (1) WITHIN SIXTY (60) DAYS OF THE EFFECTIVE DATE OF THIS  
28 SUBSECTION:

29 (I) NOTIFY ALL TEACHER PREPARATION PROGRAMS APPROVED BY THE  
30 DEPARTMENT OF EDUCATION, ALL INDIVIDUALS ENROLLED IN THESE

1 PROGRAMS AND ALL INDIVIDUALS HOLDING AN EARLY CHILDHOOD  
2 CERTIFICATE UNDER 22 PA. CODE § 49.85(B)(1) THAT AN INDIVIDUAL  
3 HOLDING OR SEEKING AN EARLY CHILDHOOD CERTIFICATE MAY, BY  
4 ATTAINING QUALIFYING SCORES ON THE ASSESSMENT MADE AVAILABLE BY  
5 THE DEPARTMENT OF EDUCATION, EXTEND THE GRADE SPAN FOR THE  
6 INDIVIDUAL'S EARLY CHILDHOOD CERTIFICATE TO INCLUDE GRADES FIVE  
7 AND SIX AND INCLUDE AND MAINTAIN NOTICE OF THE AVAILABILITY OF  
8 THE ASSESSMENT ON THE PUBLICLY ACCESSIBLE INTERNET WEBSITE OF  
9 THE DEPARTMENT OF EDUCATION WITH OTHER INFORMATION DESCRIBING  
10 CERTIFICATION REQUIREMENTS.

11 (II) CREATE A NOTIFICATION FORM TO INFORM AN INDIVIDUAL  
12 SEEKING AN EARLY CHILDHOOD CERTIFICATE AFTER THE EFFECTIVE DATE  
13 OF THIS SUBSECTION THAT THE INDIVIDUAL MAY, BY ATTAINING  
14 QUALIFYING SCORES ON THE ASSESSMENT MADE AVAILABLE BY THE  
15 DEPARTMENT OF EDUCATION, EXTEND THE GRADE SPAN FOR THE  
16 INDIVIDUAL'S EARLY CHILDHOOD CERTIFICATE TO INCLUDE GRADES FIVE  
17 AND SIX. A TEACHER PREPARATION PROGRAM SHALL PROVIDE THE FORM TO  
18 ALL INDIVIDUALS SEEKING AN EARLY CHILDHOOD CERTIFICATION.

19 (2) BY MARCH 1, 2019, AND BY MARCH 1 OF EACH YEAR  
20 THEREAFTER, ISSUE A REPORT TO THE EDUCATION COMMITTEE OF THE  
21 SENATE, THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES  
22 AND THE STATE BOARD OF EDUCATION AND POST THE REPORT ON THE  
23 PUBLICLY ACCESSIBLE INTERNET WEBSITE OF THE DEPARTMENT OF  
24 EDUCATION THAT INCLUDES THE FOLLOWING:

25 (I) THE NUMBER OF INSTRUCTIONAL I CERTIFICATES ISSUED, IN  
26 TOTAL AND SUBDIVIDED BY FIELD OF CERTIFICATION AND TEACHER  
27 PREPARATION PROGRAM FOR EACH YEAR BEGINNING IN 2010. THIS SHALL  
28 INCLUDE CERTIFICATES ISSUED RECIPROCALLY FOR OUT-OF-STATE  
29 TEACHER PREPARATION PROGRAMS.

30 (II) THE NUMBER OF INSTRUCTIONAL II CERTIFICATES ISSUED, IN

1 TOTAL AND SUBDIVIDED BY FIELD OF CERTIFICATION AND TEACHER  
2 PREPARATION PROGRAM FOR EACH YEAR BEGINNING IN 2010. THIS SHALL  
3 INCLUDE CERTIFICATES ISSUED RECIPROCALLY FOR OUT-OF-STATE  
4 TEACHER PREPARATION PROGRAMS.

5 (III) THE NUMBER OF ADMINISTRATIVE CERTIFICATES ISSUED, IN  
6 TOTAL AND SUBDIVIDED BY FIELD OF CERTIFICATION AND TEACHER  
7 PREPARATION PROGRAM FOR EACH YEAR BEGINNING IN 2010. THIS SHALL  
8 INCLUDE CERTIFICATES ISSUED RECIPROCALLY FOR OUT-OF-STATE  
9 TEACHER PREPARATION PROGRAMS.

10 (IV) THE NUMBER OF EMERGENCY CERTIFICATES ISSUED, IN TOTAL  
11 AND SUBDIVIDED BY THE LOCAL EDUCATION AGENCY BY WHICH THE  
12 INDIVIDUAL IS EMPLOYED AND BY FIELD OF CERTIFICATION FOR EACH  
13 YEAR BEGINNING IN 2010.

14 (V) THE NUMBER OF INDIVIDUALS WHO HAVE TAKEN THE ASSESSMENT  
15 UNDER PARAGRAPH (1) AND WHO ATTAINED QUALIFYING SCORES ON THE  
16 ASSESSMENT SINCE THE ASSESSMENT WAS MADE AVAILABLE BY THE  
17 DEPARTMENT OF EDUCATION.

18 (C) THE JOINT STATE GOVERNMENT COMMISSION SHALL CONDUCT A  
19 STUDY AND ISSUE A REPORT SUBJECT TO THE FOLLOWING:

20 (1) THE STUDY SHALL ANALYZE THE FOLLOWING:

21 (I) THE APPROPRIATENESS OF THE FIELDS OF CERTIFICATION,  
22 INCLUDING GRADE SPAN AND AGE LEVEL LIMITATIONS, IN IMPROVING  
23 STUDENT OUTCOMES.

24 (II) THE CREATION OR ELIMINATION OF TEACHING CERTIFICATIONS  
25 OR ENDORSEMENTS.

26 (III) NATIONAL TRENDS REGARDING GRADE SPAN AND AGE  
27 LIMITATIONS OF CERTIFICATION.

28 (2) THE REPORT SHALL BE TRANSMITTED NO LATER THAN JUNE 1,  
29 2019, TO THE FOLLOWING:

30 (I) THE GOVERNOR.

1       (II) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE  
2 EDUCATION COMMITTEE OF THE SENATE.

3       (III) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE  
4 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

5       Section 2. This act shall take effect ~~in 60 days~~ <--

6 IMMEDIATELY. <--