

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 390 Session of 2019

INTRODUCED BY D. MILLER, A. DAVIS, MURT, KINSEY, DeLUCA, HILL-
EVANS, KORTZ AND McCLINTON, FEBRUARY 6, 2019

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 6, 2019

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 definitions and providing for school social
7 workers.

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

10 Section 1. Section 1101(1) of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949, is
12 amended to read:

13 Section 1101. Definitions.--As used in this article,

14 (1) The term "professional employe" shall include those who
15 are certificated as teachers, supervisors, supervising
16 principals, principals, assistant principals, vice-principals,
17 directors of vocational education, dental hygienists, visiting
18 teachers, home and school visitors, school social workers,
19 school counselors, child nutrition program specialists, school
20 librarians, school secretaries the selection of whom is on the

1 basis of merit as determined by eligibility lists and school
2 nurses.

3 * * *

4 Section 2. The act is amended by adding a section to read:

5 Section 1107.1. School Social Workers.--(a) A school entity
6 that employs a school social worker must employ an individual
7 who holds an educational specialist certificate for school
8 social worker issued by the Department of Education.

9 (b) The requirements of subsection (a) shall not apply when
10 the individual:

11 (1) meets the exception for a school social worker as set
12 forth in section 20 of the act of July 9, 1987 (P.L.220, No.39),
13 known as the "Social Workers, Marriage and Family Therapists and
14 Professional Counselors Act"; or

15 (2) is employed as or performing the duties of a school
16 social worker in a school entity in this Commonwealth and holds
17 either a social worker license issued by the Department of State
18 or another certificate issued by the Department of Education
19 prior to the development of an educational specialist
20 certificate for school social worker by the Department of
21 Education.

22 (c) The Department of Education shall develop an educational
23 specialist certificate for school social worker no later than
24 sixty (60) days after the effective date of this section.

25 (d) For the purposes of this section, the term "school
26 entity" shall mean any public school district, intermediate
27 unit, charter school, cyber charter school, regional charter
28 school or area vocational-technical school.

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