
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 412 Session of
2021

INTRODUCED BY GLEIM, RYAN, PICKETT, JAMES, MOUL, ECKER, HILL-
EVANS, ROWE, KAUFFMAN, KEEFER, FREEMAN, B. MILLER, R. BROWN,
ZIMMERMAN, SAYLOR, N. NELSON, GAYDOS, GILLEN AND JONES,
FEBRUARY 4, 2021

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, DECEMBER 14, 2021

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, providing <--~~
6 ~~for day to day substitutes; and, in certification of~~
7 ~~teachers, further providing for substitute teaching permit~~
8 ~~for prospective teachers and for program of continuing~~
9 ~~professional education.~~ IN PRELIMINARY PROVISIONS, PROVIDING <--
10 FOR SPECIAL PROVISIONS APPLICABLE TO LIMITED SCHOOL YEARS; IN
11 PROFESSIONAL EMPLOYEES, PROVIDING FOR DAY-TO-DAY SUBSTITUTES;
12 IN CERTIFICATION OF TEACHERS, FURTHER PROVIDING FOR
13 SUBSTITUTE TEACHING PERMIT FOR PROSPECTIVE TEACHERS, FOR
14 PROGRAM OF CONTINUING PROFESSIONAL EDUCATION AND FOR LOCALLY
15 ISSUED TEMPORARY CERTIFICATION FOR SUBSTITUTE TEACHERS AND
16 PROVIDING FOR PERMIT FOR CLASSROOM MONITORS AND FOR
17 SUBSTITUTE TEACHING POLICY; AND, IN SAFE2SAY PROGRAM, FURTHER
18 PROVIDING FOR FALSE REPORTS.

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

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

24 ~~Section 1114. Day to Day Substitutes. (a) (1) An~~

~~1 individual holding a day to day substitute permit issued by the
2 department may serve as a day to day substitute in any
3 certificate area for a period not exceeding twenty (20) days of
4 substituting for an individual professional or temporary
5 professional employe. If the individual's service exceeds twenty
6 (20) days of substituting for an individual professional or
7 temporary professional employe, a long term substitute permit
8 issued by the department is required.~~

~~9 (2) An individual holding a day to day substitute permit
10 under paragraph (1) may serve as a day to day substitute for
11 more than one professional or temporary professional employe
12 within a school year, even if the individual serves as a
13 substitute for more than twenty (20) cumulative days.~~

~~14 (b) (1) An individual holding a day to day substitute
15 permit issued by a chief school administrator may serve as a
16 day to day substitute in any certificate area for a period not
17 exceeding twenty (20) days of substituting for an individual
18 professional or temporary professional employe. If a person's
19 service exceeds twenty (20) days of substituting for an
20 individual professional or temporary professional employe, an
21 emergency permit pursuant to 22 Pa. Code § 49.31 (relating to
22 criteria for eligibility) issued by the department is required.~~

~~23 (2) An individual holding a day to day substitute permit
24 under paragraph (1) may serve as a day to day substitute for
25 more than one professional or temporary professional employe
26 within a school year, even if the individual serves as a
27 substitute for more than twenty (20) cumulative days.~~

~~28 (c) The department shall update certification staffing
29 guidelines to comply with this section.~~

~~30 (d) As used in this section, the following words and phrases~~

1 ~~shall have the meanings given to them in this subsection unless~~
2 ~~the context clearly indicates otherwise:~~

3 ~~"Chief school administrator" shall include a school district~~
4 ~~superintendent, an executive director of an intermediate unit,~~
5 ~~an administrative director of an area career and technical~~
6 ~~school or a chief executive officer of a charter school,~~
7 ~~regional charter school or cyber charter school.~~

8 ~~"Day to day substitute permit" shall mean a permit issued by~~
9 ~~the department or a chief school administrator to fill a~~
10 ~~position due to the temporary absence of a professional or~~
11 ~~temporary professional employe and for which a long term~~
12 ~~substitute permit is not required.~~

13 ~~"Emergency permit" shall mean a permit issued to fill a~~
14 ~~vacancy resulting from resignation, termination, retirement,~~
15 ~~death or the creation of a new position.~~

16 ~~"Long term substitute permit" shall mean a permit issued by~~
17 ~~the department that allows a person to substitute for an~~
18 ~~individual professional or temporary professional employe for~~
19 ~~more than twenty (20) days.~~

20 ~~Section 2. Section 1201.1(a) introductory paragraph and (b)~~
21 ~~of the act, amended October 30, 2019 (P.L.460, No.76), are~~
22 ~~amended to read:~~

23 ~~Section 1201.1. Substitute Teaching Permit for Prospective~~
24 ~~Teachers. [(a)] An individual who does not hold a certificate~~
25 ~~under section 1201 shall be eligible to teach as a substitute in~~
26 ~~a school district, an area career and technical school or an~~
27 ~~intermediate unit provided that:~~

28 ~~* * *~~

29 ~~[(b) This section shall expire on June 30, 2021.]~~

30 ~~Section 3. Section 1205.2(k)(3) of the act is amended to~~

1 read:

2 ~~Section 1205.2. Program of Continuing Professional~~
3 ~~Education. * * *~~

4 ~~(k) A professional educator who is not employed by a school~~
5 ~~entity as a professional or temporary professional employe may~~
6 ~~apply to the department for inactive certification. Inactive~~
7 ~~certification shall:~~

8 ~~* * *~~

9 ~~(3) Disqualify an individual from being employed by a school~~
10 ~~entity as a professional or temporary employe. An individual~~
11 ~~with inactive certification who is not an annuitant as defined~~
12 ~~in 24 Pa.C.S. § 8102 (relating to definitions) or 71 Pa.C.S. §~~
13 ~~5102 (relating to definitions) may be employed as a substitute~~
14 ~~teacher, principal, superintendent or assistant superintendent~~
15 ~~in accordance with the endorsement on the individual's~~
16 ~~certificate or letter of eligibility for no more than [ninety~~
17 ~~(90)] one hundred eighty (180) days during a school year.~~

18 ~~* * *~~

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

20 SECTION 1. THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN <--
21 AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY ADDING SECTIONS
22 TO READ:

23 SECTION 129. SPECIAL PROVISIONS APPLICABLE TO LIMITED SCHOOL
24 YEARS.--NOTWITHSTANDING ANY PROVISION OF LAW OR REGULATION TO
25 THE CONTRARY, FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS, IF,
26 IN THE JUDGMENT OF A SCHOOL EMPLOYER, AN EMERGENCY OR SHORTAGE
27 OF DAY-TO-DAY SUBSTITUTE TEACHERS EXISTS UNDER 24 PA.C.S. §
28 8346(B) (RELATING TO TERMINATION OF ANNUITIES), THE SCHOOL
29 EMPLOYER MAY HIRE AN ANNUITANT, AS DEFINED IN 24 PA.C.S. § 8102
30 (RELATING TO DEFINITIONS), REGARDLESS OF WHETHER THE SCHOOL

1 EMPLOYER FIRST ATTEMPTS TO SECURE NONRETIRED PERSONNEL, EXCEPT
2 THAT THE SCHOOL EMPLOYER SHALL COMPLY WITH SECTION 1125.1(D) (2)
3 BY FIRST OFFERING THE WORK TO ANY CERTIFIED PROFESSIONAL EMPLOYEE
4 ON A RECALL LIST. THE PROVISIONS OF 24 PA.C.S. § 8346(B)
5 REGARDING THE CONTINUATION OF ANNUITY OR DISTRIBUTIONS TO AN
6 ANNUITANT WHO RETURNS TO SCHOOL SERVICE DURING AN EMERGENCY
7 SHALL APPLY TO ANNUITANTS HIRED UNDER THIS SECTION. NOTHING
8 UNDER THIS SECTION SHALL SUPERSEDE OR PREEMPT A PROVISION OF AN
9 EXISTING COLLECTIVE BARGAINING AGREEMENT BETWEEN A SCHOOL
10 EMPLOYER AND AN EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES UNDER
11 THE ACT OF JULY 23, 1970 (P.L.563, NO.195), KNOWN AS THE "PUBLIC
12 EMPLOYEE RELATIONS ACT."

13 SECTION 1114. DAY-TO-DAY SUBSTITUTES.-- (A) THE FOLLOWING
14 SHALL APPLY:

15 (1) AN INDIVIDUAL HOLDING A DAY-TO-DAY SUBSTITUTE PERMIT
16 ISSUED BY THE DEPARTMENT UNDER 22 PA. CODE § 49.31 (RELATING TO
17 CRITERIA FOR ELIGIBILITY) MAY SERVE AS A DAY-TO-DAY SUBSTITUTE
18 IN ANY CERTIFICATE AREA FOR A PERIOD NOT EXCEEDING TWENTY (20)
19 DAYS OF SUBSTITUTING FOR AN INDIVIDUAL PROFESSIONAL OR TEMPORARY
20 PROFESSIONAL EMPLOYEE. IF THE INDIVIDUAL'S SERVICE EXCEEDS TWENTY
21 (20) DAYS OF SUBSTITUTING FOR AN INDIVIDUAL PROFESSIONAL OR
22 TEMPORARY PROFESSIONAL EMPLOYEE, A LONG-TERM SUBSTITUTE PERMIT
23 ISSUED BY THE DEPARTMENT SHALL BE REQUIRED.

24 (2) AN INDIVIDUAL HOLDING A DAY-TO-DAY SUBSTITUTE PERMIT
25 UNDER PARAGRAPH (1) MAY SERVE AS A DAY-TO-DAY SUBSTITUTE FOR
26 MORE THAN ONE PROFESSIONAL OR TEMPORARY PROFESSIONAL EMPLOYEE
27 WITHIN A SCHOOL YEAR, EVEN IF THE INDIVIDUAL SERVES AS A
28 SUBSTITUTE FOR MORE THAN TWENTY (20) CUMULATIVE DAYS.

29 (B) THE FOLLOWING SHALL APPLY:

30 (1) THE FOLLOWING SERVICE LIMITATIONS SHALL APPLY:

1 (I) AN INDIVIDUAL HOLDING A DAY-TO-DAY SUBSTITUTE PERMIT
2 ISSUED BY A CHIEF SCHOOL ADMINISTRATOR UNDER 22 PA. CODE § 49.34
3 (RELATING TO LOCALLY-ISSUED DAY-TO-DAY SUBSTITUTE PERMITS) MAY
4 SERVE AS A DAY-TO-DAY SUBSTITUTE IN ANY CERTIFICATE AREA FOR A
5 PERIOD NOT EXCEEDING TWENTY (20) DAYS OF SUBSTITUTING FOR AN
6 INDIVIDUAL PROFESSIONAL OR TEMPORARY PROFESSIONAL EMPLOYEE.

7 (II) AN INDIVIDUAL HOLDING A VALID AND ACTIVE PENNSYLVANIA
8 CERTIFICATE OR A COMPARABLE OUT-OF-STATE CERTIFICATE MAY SERVE
9 AS A DAY-TO-DAY SUBSTITUTE IN THE INDIVIDUAL'S CERTIFICATE AREA
10 FOR A PERIOD NOT EXCEEDING TWENTY (20) DAYS OF SUBSTITUTING FOR
11 AN INDIVIDUAL PROFESSIONAL OR TEMPORARY PROFESSIONAL EMPLOYEE.

12 (2) IF AN INDIVIDUAL'S SERVICE EXCEEDS TWENTY (20) DAYS OF
13 SUBSTITUTING FOR AN INDIVIDUAL PROFESSIONAL OR TEMPORARY
14 PROFESSIONAL EMPLOYEE, OR IF A CERTIFIED INDIVIDUAL IS
15 SUBSTITUTING OUTSIDE THE INDIVIDUAL'S CERTIFICATE AREA, AN
16 EMERGENCY PERMIT UNDER 22 PA. CODE § 49.31 (RELATING TO CRITERIA
17 FOR ELIGIBILITY) ISSUED BY THE DEPARTMENT SHALL BE REQUIRED.

18 (3) AN INDIVIDUAL HOLDING A DAY-TO-DAY SUBSTITUTE PERMIT
19 UNDER PARAGRAPH (1) MAY SERVE AS A DAY-TO-DAY SUBSTITUTE FOR
20 MORE THAN ONE PROFESSIONAL OR TEMPORARY PROFESSIONAL EMPLOYEE
21 WITHIN A SCHOOL YEAR, NOTWITHSTANDING IF THE INDIVIDUAL SERVES
22 AS A SUBSTITUTE FOR MORE THAN TWENTY (20) CUMULATIVE DAYS.

23 (C) THE DEPARTMENT SHALL UPDATE CERTIFICATION STAFFING
24 GUIDELINES TO COMPLY WITH THIS SECTION.

25 (D) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
26 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS
27 THE CONTEXT CLEARLY INDICATES OTHERWISE:

28 "CHIEF SCHOOL ADMINISTRATOR" SHALL INCLUDE A SCHOOL DISTRICT
29 SUPERINTENDENT, AN EXECUTIVE DIRECTOR OF AN INTERMEDIATE UNIT,
30 AN ADMINISTRATIVE DIRECTOR OF AN AREA CAREER AND TECHNICAL

1 SCHOOL OR A CHIEF EXECUTIVE OFFICER OF A CHARTER SCHOOL,
2 REGIONAL CHARTER SCHOOL OR CYBER CHARTER SCHOOL.

3 "DAY-TO-DAY SUBSTITUTE PERMIT" SHALL MEAN A PERMIT ISSUED BY
4 THE DEPARTMENT OR A CHIEF SCHOOL ADMINISTRATOR TO FILL A
5 POSITION DUE TO THE TEMPORARY ABSENCE OF A PROFESSIONAL OR
6 TEMPORARY PROFESSIONAL EMPLOYE AND FOR WHICH A LONG-TERM
7 SUBSTITUTE PERMIT IS NOT REQUIRED.

8 "EMERGENCY PERMIT" SHALL MEAN A PERMIT ISSUED TO FILL A
9 VACANCY RESULTING FROM RESIGNATION, TERMINATION, RETIREMENT,
10 DEATH OR THE CREATION OF A NEW POSITION.

11 "LONG-TERM SUBSTITUTE PERMIT" SHALL MEAN A PERMIT ISSUED BY
12 THE DEPARTMENT THAT ALLOWS AN INDIVIDUAL TO SUBSTITUTE FOR AN
13 INDIVIDUAL PROFESSIONAL OR TEMPORARY PROFESSIONAL EMPLOYE FOR
14 MORE THAN TWENTY (20) DAYS.

15 SECTION 2. SECTIONS 1201.1(3), 1205.2(K)(3) AND 1215 OF THE
16 ACT ARE AMENDED TO READ:

17 SECTION 1201.1. SUBSTITUTE TEACHING PERMIT FOR PROSPECTIVE
18 TEACHERS.--AN INDIVIDUAL WHO DOES NOT HOLD A CERTIFICATE UNDER
19 SECTION 1201 SHALL BE ELIGIBLE TO TEACH AS A SUBSTITUTE IN A
20 SCHOOL DISTRICT, AN AREA CAREER AND TECHNICAL SCHOOL OR AN
21 INTERMEDIATE UNIT PROVIDED THAT:

22 * * *

23 (3) AN INDIVIDUAL RECEIVING A SUBSTITUTE TEACHING PERMIT FOR
24 PROSPECTIVE TEACHERS MAY SERVE AS A SUBSTITUTE TEACHER FOR NO
25 MORE THAN TEN (10) DAYS PER SCHOOL YEAR FOR A SINGLE
26 PROFESSIONAL EMPLOYE OR TEMPORARY PROFESSIONAL EMPLOYE, PROVIDED
27 THAT THE INDIVIDUAL MAY SERVE AS A SUBSTITUTE FOR MULTIPLE
28 PROFESSIONAL EMPLOYEES OR TEMPORARY PROFESSIONAL EMPLOYEES FOR NO
29 MORE THAN TWENTY (20) DAYS PER SCHOOL YEAR. FOR THE 2021-2022
30 AND 2022-2023 SCHOOL YEARS, THE NUMBER OF DAYS OR HOURS PER

1 SCHOOL YEAR FOR WHICH AN INDIVIDUAL RECEIVING A PERMIT UNDER
2 THIS SECTION MAY SERVE AS A SUBSTITUTE TEACHER SHALL NOT BE
3 LIMITED, EXCEPT FOR AN INDIVIDUAL WHO IS UNDERTAKING A STUDENT
4 TEACHER PROGRAM AS REQUIRED UNDER 22 PA. CODE § 354.25(F)
5 (RELATING TO PREPARATION PROGRAM CURRICULUM) FOR EDUCATOR
6 PREPARATION PROGRAMS.

7 * * *

8 SECTION 1205.2. PROGRAM OF CONTINUING PROFESSIONAL
9 EDUCATION.--* * *

10 (K) A PROFESSIONAL EDUCATOR WHO IS NOT EMPLOYED BY A SCHOOL
11 ENTITY AS A PROFESSIONAL OR TEMPORARY PROFESSIONAL EMPLOYEE MAY
12 APPLY TO THE DEPARTMENT FOR INACTIVE CERTIFICATION. INACTIVE
13 CERTIFICATION SHALL:

14 * * *

15 (3) DISQUALIFY AN INDIVIDUAL FROM BEING EMPLOYED BY A SCHOOL
16 ENTITY AS A PROFESSIONAL OR TEMPORARY EMPLOYEE. AN INDIVIDUAL
17 WITH INACTIVE CERTIFICATION WHO IS NOT AN ANNUITANT AS DEFINED
18 IN 24 PA.C.S. § 8102 (RELATING TO DEFINITIONS) OR 71 PA.C.S. §
19 5102 (RELATING TO DEFINITIONS) MAY BE EMPLOYED AS A SUBSTITUTE
20 TEACHER, PRINCIPAL, SUPERINTENDENT OR ASSISTANT SUPERINTENDENT
21 IN ACCORDANCE WITH THE ENDORSEMENT ON THE INDIVIDUAL'S
22 CERTIFICATE OR LETTER OF ELIGIBILITY FOR NO MORE THAN [NINETY
23 (90)] ONE HUNDRED AND EIGHTY (180) DAYS DURING A SCHOOL YEAR.

24 * * *

25 SECTION 1215. LOCALLY ISSUED TEMPORARY CERTIFICATION FOR
26 SUBSTITUTE TEACHERS.--A TEMPORARY SUBSTITUTE TEACHER CERTIFICATE
27 MAY BE ISSUED BY A PUBLIC SCHOOL ENTITY TO AN INDIVIDUAL WHO
28 PRESENTS A LETTER FROM A COLLEGE OR UNIVERSITY VERIFYING THAT
29 THE INDIVIDUAL HAS COMPLETED AN APPROVED TEACHER PREPARATION
30 PROGRAM, HAS SUCCESSFULLY COMPLETED THE CERTIFICATION TESTING

1 REQUIREMENTS OR IS IN THE PROCESS OF SCHEDULING THE REQUIRED
2 CERTIFICATION TESTING AND HAS COMPLETED ALL REQUIREMENTS FOR THE
3 AWARDING OF A BACHELOR'S DEGREE ON A DATE CERTAIN. THE TEMPORARY
4 SUBSTITUTE TEACHER CERTIFICATE SHALL ONLY BE USED FOR DAY-TO-DAY
5 ASSIGNMENTS AND SHALL EXPIRE UPON THE TERMINATION OF ANY SUMMER
6 SCHOOL CONDUCTED IN THE SUMMER WHICH FOLLOWS THE DATE OF
7 ISSUANCE OR UPON THE RECEIPT OF INSTRUCTIONAL I CERTIFICATION BY
8 THE INDIVIDUAL. FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS,
9 THE TEMPORARY SUBSTITUTE TEACHER CERTIFICATE ISSUED UNDER THIS
10 SECTION MAY BE USED FOR ASSIGNMENTS OF MORE THAN TWENTY (20)
11 CONSECUTIVE DAYS TO FILL A POSITION DUE TO THE ABSENCE OF
12 PROFESSIONAL CERTIFIED PERSONNEL.

13 SECTION 3. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

14 SECTION 1218. PERMIT FOR CLASSROOM MONITORS.--(A) A SCHOOL
15 ENTITY MAY REQUEST THAT THE DEPARTMENT ISSUE A CLASSROOM MONITOR
16 PERMIT TO ALLOW AN INDIVIDUAL TO DELIVER TO STUDENTS ASSIGNMENTS
17 THAT ARE PREPLANNED BY A PROFESSIONAL EMPLOYE OR TEMPORARY
18 PROFESSIONAL EMPLOYE. A CLASSROOM MONITOR MAY NOT PLAN LESSONS
19 OR CREATE OR GRADE STUDENT WORK.

20 (B) AN INDIVIDUAL RECEIVING A PERMIT UNDER SUBSECTION (A)
21 SHALL SATISFY ALL OF THE FOLLOWING:

22 (1) HAS COMPLETED AT LEAST SIXTY (60) SEMESTER HOURS OR THE
23 EQUIVALENT OF COURSES AT A COLLEGE OR UNIVERSITY LOCATED IN THIS
24 COMMONWEALTH AND ACCREDITED BY A REGIONAL ACCREDITING AGENCY, OR
25 HAS AT LEAST THREE (3) YEARS' EXPERIENCE AS A PARAPROFESSIONAL
26 IN A SCHOOL ENTITY AND IS CURRENTLY EMPLOYED AS A
27 PARAPROFESSIONAL IN A SCHOOL ENTITY.

28 (2) HAS MET THE REQUIREMENTS UNDER SECTIONS 111, 111.1 AND
29 1109(A) AND 23 PA.C.S. CH. 63 SUBCH. C (RELATING TO POWERS AND
30 DUTIES OF DEPARTMENT).

1 (3) HAS ATTAINED A MINIMUM AGE OF TWENTY-FIVE (25) YEARS.

2 (4) HAS COMPLETED TRAINING ON CLASSROOM MANAGEMENT PROVIDED
3 BY AN INTERMEDIATE UNIT AND APPROVED BY THE DEPARTMENT.

4 (C) AN INDIVIDUAL RECEIVING A PERMIT UNDER THIS SECTION WHO
5 IS ALREADY EMPLOYED BY THE SCHOOL ENTITY AS A PARAPROFESSIONAL
6 SHALL RECEIVE THE HIGHER OF THE INDIVIDUAL'S EXISTING
7 CONTRACTUAL COMPENSATION OR THE COMPENSATION ESTABLISHED BY THE
8 SCHOOL ENTITY FOR DAY-TO-DAY SUBSTITUTE TEACHERS.

9 (D) EACH SCHOOL ENTITY THAT USES THE SERVICES OF A CLASSROOM
10 MONITOR UNDER THIS SECTION SHALL ENSURE THAT EACH STUDENT WHO
11 RECEIVES SERVICES UNDER AN INDIVIDUALIZED EDUCATION PROGRAM
12 UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (PUBLIC
13 LAW 91-230, 20 U.S.C. § 1400 ET SEQ.) RECEIVES A FREE AND
14 APPROPRIATE PUBLIC EDUCATION AS REQUIRED UNDER THE INDIVIDUALS
15 WITH DISABILITIES EDUCATION ACT.

16 (E) EACH SCHOOL ENTITY SHALL REPORT TO THE DEPARTMENT THE
17 FOLLOWING BY MARCH 31, 2023:

18 (1) THE NUMBER OF INDIVIDUALS WHO SERVED AS CLASSROOM
19 MONITORS UNDER THIS SECTION AND THE NUMBER OF DAYS ON WHICH THE
20 SCHOOL ENTITY USED THE SERVICES OF CLASSROOM MONITORS.

21 (2) THE SCHOOL ENTITY'S DAY-TO-DAY SUBSTITUTE TEACHER
22 COMPENSATION RATES IN THE 2020-2021, 2021-2022 AND 2022-2023
23 SCHOOL YEARS. FOR A SCHOOL ENTITY THAT USES A THIRD-PARTY ENTITY
24 TO PROVIDE SUBSTITUTE TEACHERS, THE RATE REPORTED BY THE SCHOOL
25 ENTITY SHALL BE THE TAKE-HOME AMOUNT RECEIVED BY AN INDIVIDUAL,
26 EXCLUDING THE PORTION PAID TO THE THIRD-PARTY ENTITY. THE
27 DEPARTMENT SHALL ISSUE RULES NECESSARY TO EFFECTUATE THIS
28 SUBSECTION.

29 (F) BY APRIL 15, 2023, THE DEPARTMENT SHALL ISSUE A REPORT
30 ON THE EFFECTIVENESS OF THE CLASSROOM MONITOR PERMIT AND

1 RECOMMENDATIONS FOR IMPROVEMENT OR CONTINUATION OF THE PERMIT.
2 THE REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE INFORMATION
3 REPORTED TO THE DEPARTMENT UNDER SUBSECTION (E) AND A FORMAL
4 EVALUATION OF THE PERMIT AND ITS EFFECTIVENESS BY AN INDEPENDENT
5 RESEARCH ORGANIZATION WHICH MAY INCLUDE A COLLEGE OR UNIVERSITY
6 ACCREDITED BY A REGIONAL ACCREDITING AGENCY. THE REPORT SHALL BE
7 SUBMITTED TO THE GENERAL ASSEMBLY AND THE STATE BOARD AND SHALL
8 BE POSTED ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET
9 WEBSITE.

10 (G) THIS SECTION SHALL EXPIRE ON JUNE 30, 2023.

11 SECTION 1219. SUBSTITUTE TEACHING POLICY.--BY FEBRUARY 15,
12 2022, EACH TEACHER PREPARATION PROGRAM APPROVED BY THE
13 DEPARTMENT SHALL ADOPT A POLICY REGARDING ALLOWING AN INDIVIDUAL
14 UNDERTAKING A STUDENT TEACHER PROGRAM UNDER 22 PA. CODE §
15 354.25(F) (RELATING TO PREPARATION PROGRAM CURRICULUM) AND
16 SATISFYING THE REQUIREMENTS OF SECTION 1201.1(1) TO TEACH AS A
17 SUBSTITUTE IN EXCHANGE FOR FINANCIAL COMPENSATION, IF THE
18 INDIVIDUAL HAS RECEIVED AT LEAST ONE SATISFACTORY OBSERVATION
19 RELATED TO THE INDIVIDUAL'S STUDENT TEACHER PROGRAM. A TEACHER
20 PREPARATION PROGRAM POLICY MAY NOT PROHIBIT SUBSTITUTE TEACHING
21 BY INDIVIDUALS WHO HAVE RECEIVED AT LEAST ONE SATISFACTORY
22 OBSERVATION RELATED TO THEIR STUDENT TEACHER PROGRAM.

23 SECTION 4. SECTION 1305-D OF THE ACT IS AMENDED BY ADDING A
24 SUBSECTION TO READ:

25 SECTION 1305-D. FALSE REPORTS.

26 * * *

27 (C) CONCURRENT JURISDICTION.--THE ATTORNEY GENERAL MAY
28 INVESTIGATE AND INSTITUTE CRIMINAL PROCEEDINGS FOR A VIOLATION
29 OF THIS SECTION.

30 SECTION 5. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.