

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 27 Session of 2023

INTRODUCED BY STRUZZI, SMITH, ARMANINI, FLICK AND KINKEAD,
MARCH 7, 2023

REFERRED TO COMMITTEE ON EDUCATION, MARCH 7, 2023

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 preliminary provisions, further
6 providing for special provisions applicable to limited school
7 years; and, in certification of teachers, further providing
8 for substitute teaching permit for prospective teachers and
9 for locally issued temporary certification for substitute
10 teachers.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Sections 129, 1201.1(3) and 1215 of the act of
14 March 10, 1949 (P.L.30, No.14), known as the Public School Code
15 of 1949, are amended to read:

16 Section 129. Special Provisions Applicable to Limited School
17 Years.--Notwithstanding any provision of law or regulation to
18 the contrary, for the 2021-2022 [and], 2022-2023, 2023-2024 and
19 2024-2025 school years, if, in the judgment of a school
20 employer, an emergency or shortage of day-to-day substitute
21 teachers exists under 24 Pa.C.S. § 8346(b) (relating to
22 termination of annuities), the school employer may hire an

1 annuitant, as defined in 24 Pa.C.S. § 8102 (relating to
2 definitions), regardless of whether the school employer first
3 attempts to secure nonretired personnel, except that the school
4 employer shall comply with section 1125.1(d)(2) by first
5 offering the work to any certified professional employe on a
6 recall list. The provisions of 24 Pa.C.S. § 8346(b) regarding
7 the continuation of annuity or distributions to an annuitant who
8 returns to school service during an emergency shall apply to
9 annuitants hired under this section. Nothing under this section
10 shall supersede or preempt a provision of an existing collective
11 bargaining agreement between a school employer and an exclusive
12 representative of the employes under the act of July 23, 1970
13 (P.L.563, No.195), known as the "Public Employe Relations Act."

14 Section 1201.1. Substitute Teaching Permit for Prospective
15 Teachers.--An individual who does not hold a certificate under
16 section 1201 shall be eligible to teach as a substitute in a
17 school district, an area career and technical school or an
18 intermediate unit provided that:

19 * * *

20 (3) An individual receiving a Substitute Teaching Permit for
21 Prospective Teachers may serve as a substitute teacher for no
22 more than ten (10) days per school year for a single
23 professional employe or temporary professional employe, provided
24 that the individual may serve as a substitute for multiple
25 professional employes or temporary professional employes for no
26 more than twenty (20) days per school year. For the 2021-2022
27 [and], 2022-2023, 2023-2024 and 2024-2025 school years, the
28 number of days or hours per school year for which an individual
29 receiving a permit under this section may serve as a substitute
30 teacher shall not be limited, except for an individual who is

1 undertaking a student teacher program as required under 22 Pa.
2 Code § 354.25(f) (relating to preparation program curriculum)
3 for educator preparation programs.

4 * * *

5 Section 1215. Locally Issued Temporary Certification for
6 Substitute Teachers.--A temporary substitute teacher certificate
7 may be issued by a public school entity to an individual who
8 presents a letter from a college or university verifying that
9 the individual has completed an approved teacher preparation
10 program, has successfully completed the certification testing
11 requirements or is in the process of scheduling the required
12 certification testing and has completed all requirements for the
13 awarding of a bachelor's degree on a date certain. The temporary
14 substitute teacher certificate shall only be used for day-to-day
15 assignments and shall expire upon the termination of any summer
16 school conducted in the summer which follows the date of
17 issuance or upon the receipt of Instructional I certification by
18 the individual. For the 2021-2022 [and], 2022-2023, 2023-2024
19 and 2024-2025 school years, the temporary substitute teacher
20 certificate issued under this section may be used for
21 assignments of more than twenty (20) consecutive days to fill a
22 position due to the absence of professional certified personnel.

23 Section 2. This act shall take effect immediately.