
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 27 Session of 2023

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

SENATOR ARGALL, EDUCATION, IN SENATE, AS AMENDED,
SEPTEMBER 18, 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, for
9 locally issued temporary certification for substitute
10 teachers and for permit for classroom monitors.

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

13 Section 1. Section 129 of the act of March 10, 1949 (P.L.30,
14 No.14), known as the Public School Code of 1949, is amended to
15 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 school years,]
19 if, in the judgment of a school employer, an emergency or
20 shortage of day-to-day substitute teachers exists under 24
21 Pa.C.S. § 8346(b) (relating to termination of annuities), the

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

15 Section 2. Section 1201.1(3) of the act is amended and the
16 section is amended by adding a paragraph 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 employes or temporary professional employes for no
29 more than twenty (20) days per school year. [For the 2021-2022
30 and 2022-2023] Subject to paragraph (3.1), for the 2023-2024,

1 2024-2025 and 2025-2026 school years, the number of days or
2 hours per school year for which an individual receiving a permit
3 under this section may serve as a substitute teacher shall not
4 be limited, except for an individual who is undertaking a
5 student teacher program as required under 22 Pa. Code §
6 354.25(f) (relating to preparation program curriculum) for
7 educator preparation programs.

8 (3.1) During an individual's student teacher program
9 required under 22 Pa. Code § 354.25(f) (relating to preparation
10 program curriculum) for educator preparation programs, the
11 individual may serve as a substitute teacher for no more than
12 ten (10) days in the individual's assigned classroom or
13 classrooms or for other teachers within the building or
14 buildings in which the individual has been placed as a student
15 teacher.

16 * * *

17 ~~Section 3. Sections 1215 and 1218(e), (f) and (g) of the act <--~~
18 ~~are amended to read:~~

19 SECTION 3. SECTION 1215 OF THE ACT IS AMENDED TO READ: <--

20 Section 1215. Locally Issued Temporary Certification for
21 Substitute Teachers.--A temporary substitute teacher certificate
22 may be issued by a public school entity to an individual who
23 presents a letter from a college or university verifying that
24 the individual has completed an approved teacher preparation
25 program, has successfully completed the certification testing
26 requirements or is in the process of scheduling the required
27 certification testing and has completed all requirements for the
28 awarding of a bachelor's degree on a date certain. The temporary
29 substitute teacher certificate shall only be used for day-to-day
30 assignments and shall expire upon the termination of any summer

1 school conducted in the summer which follows the date of
2 issuance or upon the receipt of Instructional I certification by
3 the individual. [For the 2021-2022 and 2022-2023 school years,
4 the] The temporary substitute teacher certificate issued under
5 this section may be used for assignments of more than twenty
6 (20) consecutive days to fill a position due to the absence of
7 professional certified personnel.

8 ~~Section 1218. Permit for Classroom Monitors. * * *~~ <--

9 ~~(e) Each school entity shall report to the department the~~
10 ~~following by March 31, [2023] 2026:~~

11 ~~(1) The number of individuals who served as classroom~~
12 ~~monitors under this section and the number of days on which the~~
13 ~~school entity used the services of classroom monitors.~~

14 ~~(2) The school entity's day to day substitute teacher~~
15 ~~compensation rates in each of the school years from 2020 2021[,~~
16 ~~2021 2022 and 2022 2023 school years] through 2025 2026. For a~~
17 ~~school entity that uses a third party entity to provide~~
18 ~~substitute teachers, the rate reported by the school entity~~
19 ~~shall be the take home amount received by an individual,~~
20 ~~excluding the portion paid to the third party entity. The~~
21 ~~department shall issue rules necessary to effectuate this~~
22 ~~subsection.~~

23 ~~(f) By April 15, [2023] 2026, the department shall issue a~~
24 ~~report on the effectiveness of the classroom monitor permit and~~
25 ~~recommendations for improvement or continuation of the permit.~~
26 ~~The report shall include, but not be limited to, the information~~
27 ~~reported to the department under subsection (e) and a formal~~
28 ~~evaluation of the permit and its effectiveness by an independent~~
29 ~~research organization which may include a college or university~~
30 ~~accredited by a regional accrediting agency. The report shall be~~

1 ~~submitted to the General Assembly and the State Board and shall~~
2 ~~be posted on the department's publicly accessible Internet~~
3 ~~website.~~

4 ~~(g) This section shall expire on June 30, [2023] 2026.~~

5 SECTION 4. SECTION 1218 OF THE ACT, EXPIRED JUNE 30, 2023, <--
6 IS REPEALED:

7 [SECTION 1218. PERMIT FOR CLASSROOM MONITORS.-- (A) A SCHOOL
8 ENTITY MAY REQUEST THAT THE DEPARTMENT ISSUE A CLASSROOM MONITOR
9 PERMIT TO ALLOW AN INDIVIDUAL TO DELIVER TO STUDENTS ASSIGNMENTS
10 THAT ARE PREPLANNED BY A PROFESSIONAL EMPLOYE OR TEMPORARY
11 PROFESSIONAL EMPLOYE. A CLASSROOM MONITOR MAY NOT PLAN LESSONS
12 OR CREATE OR GRADE STUDENT WORK.

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

15 (1) HAS COMPLETED AT LEAST SIXTY (60) SEMESTER HOURS OR THE
16 EQUIVALENT OF COURSES AT A COLLEGE OR UNIVERSITY LOCATED IN THIS
17 COMMONWEALTH AND ACCREDITED BY A REGIONAL ACCREDITING AGENCY, OR
18 HAS AT LEAST THREE (3) YEARS' EXPERIENCE AS A PARAPROFESSIONAL
19 IN A SCHOOL ENTITY AND IS CURRENTLY EMPLOYED AS A
20 PARAPROFESSIONAL IN A SCHOOL ENTITY.

21 (2) HAS MET THE REQUIREMENTS UNDER SECTIONS 111, 111.1 AND
22 1109(A) AND 23 PA.C.S. CH. 63 SUBCH. C (RELATING TO POWERS AND
23 DUTIES OF DEPARTMENT).

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

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

27 (C) AN INDIVIDUAL RECEIVING A PERMIT UNDER THIS SECTION WHO
28 IS ALREADY EMPLOYED BY THE SCHOOL ENTITY AS A PARAPROFESSIONAL
29 SHALL RECEIVE THE HIGHER OF THE INDIVIDUAL'S EXISTING
30 CONTRACTUAL COMPENSATION OR THE COMPENSATION ESTABLISHED BY THE

1 SCHOOL ENTITY FOR DAY-TO-DAY SUBSTITUTE TEACHERS.

2 (D) EACH SCHOOL ENTITY THAT USES THE SERVICES OF A CLASSROOM
3 MONITOR UNDER THIS SECTION SHALL ENSURE THAT EACH STUDENT WHO
4 RECEIVES SERVICES UNDER AN INDIVIDUALIZED EDUCATION PROGRAM
5 UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (PUBLIC
6 LAW 91-230, 20 U.S.C. § 1400 ET SEQ.) RECEIVES A FREE AND
7 APPROPRIATE PUBLIC EDUCATION AS REQUIRED UNDER THE INDIVIDUALS
8 WITH DISABILITIES EDUCATION ACT.

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

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

14 (2) THE SCHOOL ENTITY'S DAY-TO-DAY SUBSTITUTE TEACHER
15 COMPENSATION RATES IN THE 2020-2021, 2021-2022 AND 2022-2023
16 SCHOOL YEARS. FOR A SCHOOL ENTITY THAT USES A THIRD-PARTY ENTITY
17 TO PROVIDE SUBSTITUTE TEACHERS, THE RATE REPORTED BY THE SCHOOL
18 ENTITY SHALL BE THE TAKE-HOME AMOUNT RECEIVED BY AN INDIVIDUAL,
19 EXCLUDING THE PORTION PAID TO THE THIRD-PARTY ENTITY. THE
20 DEPARTMENT SHALL ISSUE RULES NECESSARY TO EFFECTUATE THIS
21 SUBSECTION.

22 (F) BY APRIL 15, 2023, THE DEPARTMENT SHALL ISSUE A REPORT
23 ON THE EFFECTIVENESS OF THE CLASSROOM MONITOR PERMIT AND
24 RECOMMENDATIONS FOR IMPROVEMENT OR CONTINUATION OF THE PERMIT.
25 THE REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE INFORMATION
26 REPORTED TO THE DEPARTMENT UNDER SUBSECTION (E) AND A FORMAL
27 EVALUATION OF THE PERMIT AND ITS EFFECTIVENESS BY AN INDEPENDENT
28 RESEARCH ORGANIZATION WHICH MAY INCLUDE A COLLEGE OR UNIVERSITY
29 ACCREDITED BY A REGIONAL ACCREDITING AGENCY. THE REPORT SHALL BE
30 SUBMITTED TO THE GENERAL ASSEMBLY AND THE STATE BOARD AND SHALL

1 BE POSTED ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET
2 WEBSITE.

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

4 SECTION 5. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

5 SECTION 1218.1. PERMIT FOR CLASSROOM MONITORS.-- (A) A
6 SCHOOL ENTITY MAY REQUEST THAT THE DEPARTMENT ISSUE A CLASSROOM
7 MONITOR PERMIT TO ALLOW AN INDIVIDUAL TO DELIVER TO STUDENTS
8 ASSIGNMENTS THAT ARE PREPLANNED BY A PROFESSIONAL EMPLOYE OR
9 TEMPORARY PROFESSIONAL EMPLOYE. A CLASSROOM MONITOR MAY NOT PLAN
10 LESSONS OR CREATE OR GRADE STUDENT WORK.

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

13 (1) HAS COMPLETED AT LEAST SIXTY (60) SEMESTER HOURS OR THE
14 EQUIVALENT OF COURSES AT A COLLEGE OR UNIVERSITY LOCATED IN THIS
15 COMMONWEALTH AND ACCREDITED BY A REGIONAL ACCREDITING AGENCY OR
16 HAS AT LEAST THREE (3) YEARS' EXPERIENCE AS A PARAPROFESSIONAL
17 IN A SCHOOL ENTITY AND IS CURRENTLY EMPLOYED AS A
18 PARAPROFESSIONAL IN A SCHOOL ENTITY.

19 (2) HAS MET THE REQUIREMENTS UNDER SECTIONS 111, 111.1 AND
20 1109(A) AND 23 PA.C.S. CH. 63 SUBCH. C (RELATING TO POWERS AND
21 DUTIES OF DEPARTMENT).

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

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

25 (C) AN INDIVIDUAL RECEIVING A PERMIT UNDER THIS SECTION WHO
26 IS ALREADY EMPLOYED BY THE SCHOOL ENTITY AS A PARAPROFESSIONAL
27 SHALL RECEIVE THE HIGHER OF THE INDIVIDUAL'S EXISTING
28 CONTRACTUAL COMPENSATION OR THE COMPENSATION ESTABLISHED BY THE
29 SCHOOL ENTITY FOR DAY-TO-DAY SUBSTITUTE TEACHERS.

30 (D) EACH SCHOOL ENTITY THAT USES THE SERVICES OF A CLASSROOM

1 MONITOR UNDER THIS SECTION SHALL ENSURE THAT EACH STUDENT WHO
2 RECEIVES SERVICES UNDER AN INDIVIDUALIZED EDUCATION PROGRAM
3 UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (PUBLIC
4 LAW 91-230, 20 U.S.C. § 1400 ET SEQ.) RECEIVES A FREE AND
5 APPROPRIATE PUBLIC EDUCATION AS REQUIRED UNDER THE INDIVIDUALS
6 WITH DISABILITIES EDUCATION ACT.

7 (E) EACH SCHOOL ENTITY SHALL REPORT TO THE DEPARTMENT THE
8 FOLLOWING BY MARCH 31, 2026:

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

12 (2) THE SCHOOL ENTITY'S DAY-TO-DAY SUBSTITUTE TEACHER
13 COMPENSATION RATES IN EACH OF THE SCHOOL YEARS FROM 2020-2021
14 THROUGH 2025-2026. FOR A SCHOOL ENTITY THAT USES A THIRD-PARTY
15 ENTITY TO PROVIDE SUBSTITUTE TEACHERS, THE RATE REPORTED BY THE
16 SCHOOL ENTITY SHALL BE THE TAKE-HOME AMOUNT RECEIVED BY AN
17 INDIVIDUAL, EXCLUDING THE PORTION PAID TO THE THIRD-PARTY
18 ENTITY. THE DEPARTMENT SHALL ISSUE RULES NECESSARY TO EFFECTUATE
19 THIS SUBSECTION.

20 (F) BY APRIL 15, 2026, THE DEPARTMENT SHALL ISSUE A REPORT
21 ON THE EFFECTIVENESS OF THE CLASSROOM MONITOR PERMIT AND
22 RECOMMENDATIONS FOR IMPROVEMENT OR CONTINUATION OF THE PERMIT.
23 THE REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE INFORMATION
24 REPORTED TO THE DEPARTMENT UNDER SUBSECTION (E) AND A FORMAL
25 EVALUATION OF THE PERMIT AND ITS EFFECTIVENESS BY AN INDEPENDENT
26 RESEARCH ORGANIZATION WHICH MAY INCLUDE A COLLEGE OR UNIVERSITY
27 ACCREDITED BY A REGIONAL ACCREDITING AGENCY. THE REPORT SHALL BE
28 SUBMITTED TO THE GENERAL ASSEMBLY AND THE STATE BOARD AND SHALL
29 BE POSTED ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET
30 WEBSITE.

1 (G) THIS SECTION SHALL EXPIRE ON JUNE 30, 2026.

2 Section ~~4~~ 6. This act shall take effect immediately.

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