

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1331 Session of 2023

INTRODUCED BY OTTEN, CURRY, SCHWEYER, MADDEN, HOWARD, KINSEY, KAZEEM, HILL-EVANS, SCHLOSSBERG, SHUSTERMAN, FLEMING, SANCHEZ, PROBST, CEPEDA-FREYTIZ, DELLOSO, KHAN, SCOTT, HOHENSTEIN, WARREN, D. WILLIAMS, KRAJEWSKI, SMITH-WADE-EL, DALEY, CERRATO, CIRESI, ISAACSON, GREEN, CONKLIN, PIELLI, DONAHUE, STURLA AND GUZMAN, JUNE 6, 2023

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 21, 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, providing
6 for public job posting database, for instructional vacancy
7 data and for data transparency; and establishing the Educator
8 Pipeline Support Grant Program.

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

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

14 Section 130. Public Job Posting Database.--(a) The
15 department shall establish and maintain a public database for
16 school entities or nonpublic schools to voluntarily advertise
17 employe vacancies on the department's publicly accessible
18 Internet website. The database shall, at a minimum:

1 (1) Allow a school entity or nonpublic school to post in
2 real time an employe vacancy. The department shall determine
3 information to be required as part of a posting.

4 (2) Provide for a time-limited expiration of a posting made
5 by a school entity or nonpublic school.

6 (3) Be searchable by, at a minimum, county, intermediate
7 unit, school entity, grade level, employe type and academic
8 content area.

9 (4) Be made available at no cost to a school entity,
10 nonpublic school or prospective employe.

11 (b) A school entity or nonpublic school may submit a posting
12 to the database established under subsection (a) for an open
13 position or an anticipated open position.

14 (c) The department may contract with a third party to
15 operate the database established under subsection (a).

16 (d) As used in this section, the following words and phrases
17 shall have the meanings given to them in this subsection unless
18 the context clearly indicates otherwise:

19 "Department." The Department of Education of the
20 Commonwealth.

21 "Employe." The following:

22 (1) A "professional employe" as defined in section 1101(1).

23 (2) A paraprofessional or educational interpreter as
24 described under 22 Pa. Code § 14.105 (relating to personnel).

25 (3) Any other employe in a school entity or nonpublic school
26 as determined by the department.

27 "Nonpublic school." As defined in section 923.3-A(b).

28 "School entity." A school district, charter school, regional
29 charter school, intermediate unit or area career and technical
30 school operating within this Commonwealth.

1 Section 131. Instructional Vacancy Data.--(a) The
2 department shall require a school entity to submit certain
3 information relating to instructional vacancies, including, at a
4 minimum, the number of instructional vacancies, the number of
5 emergency permits utilized by a school entity and the number of
6 positions occupied by long-term substitutes. The department
7 shall determine the form and manner in which the information is
8 to be submitted by a school entity. To the best extent possible,
9 the department shall utilize existing reporting methods to
10 collect this data. By August 31, 2024, and each August 31
11 thereafter, each school entity shall report the following to the
12 department:

13 (1) The total budgeted complement of instructional employes
14 for that fiscal year and vacancies included in the final adopted
15 budget of a board of school directors.

16 (2) The quarterly average number of instructional employe
17 vacancies the school entity had during the school year.

18 (b) The department shall maintain the information collected
19 under subsection (a) on its publicly accessible Internet
20 website.

21 (c) As used in this section, the following words and phrases
22 shall have the meanings given to them in this subsection unless
23 the context clearly indicates otherwise:

24 "Department." The Department of Education of the
25 Commonwealth.

26 "School entity." A school district, charter school, regional
27 charter school, intermediate unit or area career and technical
28 school operating within this Commonwealth.

29 Section 132. Data Transparency.--(a) To the extent that
30 funding is made available, no later than December 31 of each

1 year, the department shall post on its publicly accessible
2 Internet website data related to the educator workforce in this
3 Commonwealth that allows members of the public to view,
4 disaggregate and manipulate the following data if collected by
5 the department:

6 (1) Educator supply data, including educator preparation
7 provider enrollment and completion data and education
8 professional certificates issued by the department,
9 disaggregated by categories, including program, certification
10 area and demographic information.

11 (2) Educator demand data, including current educator
12 workforce numbers, unfilled positions and rates, new hires and
13 emergency permits or out-of-field educators, disaggregated by
14 categories, including school entity, school, specific
15 assignment, certification area, type of emergency permit and
16 demographic information.

17 (3) Educator preparation program outcomes data, including
18 data on percentage of program enrollees who:

19 (i) Complete the program.

20 (ii) Pass the certification test on the first time and
21 overall.

22 (iii) Receive certification.

23 (iv) Are employed by a school entity in years one through
24 five.

25 (v) Are retained by a school entity in years one through
26 five.

27 (4) Educator retention at one-year, three-year and five-year
28 rates, disaggregated by categories, including school entity,
29 school, specific assignment, certification area, type of
30 emergency permit and demographic information.

1 (b) The department may contract with an outside organization
2 to meet the requirements of this section.

3 (c) No later than December 15, 2023, and each December 15
4 thereafter, the department, in consultation with the Department
5 of Labor and Industry, shall issue a report to the Governor and
6 General Assembly on the educator workforce in this Commonwealth.
7 The report shall be posted on the department's publicly
8 accessible Internet website. The report shall include
9 information on:

10 (1) Trends in educator supply and educator preparation
11 provider effectiveness, including recommendations for attracting
12 more high-quality and diverse teacher candidates and improving
13 the quality of educator preparation in this Commonwealth.

14 (2) The educator positions, by certification area, in high
15 demand in this Commonwealth and the location of existing
16 vacancies by school entity.

17 (3) Projections of shortage areas and subjects in the
18 upcoming three to five years and recommendations for addressing
19 these shortages.

20 (4) Overall and disaggregated trends in educator retention,
21 including recommendations for improving retention.

22 (d) As used in this section, the following words and phrases
23 shall have the meanings given to them in this subsection unless
24 the context clearly indicates otherwise:

25 "Department." The Department of Education of the
26 Commonwealth.

27 "School entity." A school district, cyber charter school,
28 charter school, regional charter school, area career and
29 technical school or intermediate unit.

30 Section 2. The act is amended by adding an article to read:

1 ARTICLE XII-B

2 EDUCATOR PIPELINE SUPPORT GRANT PROGRAM

3 Section 1201-B. Scope of article.

4 This article relates to educator workforce.

5 Section 1202-B. Definitions.

6 The following words and phrases when used in this article
7 shall have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 "Agency." The Pennsylvania Higher Education Assistance
10 Agency.

11 "Approved educator preparation program." A sequence of
12 courses and experiences offered by an institution of higher
13 education that is reviewed and approved by the department.

14 "Cooperating teacher." An individual who satisfies all of
15 the following:

16 (1) Holds a certification under section 1201 in the
17 subject area in which the individual will be providing
18 guidance to the student teacher.

19 (2) Has received at least three years of satisfactory
20 ratings as a certified teacher.

21 (3) Has at least one year of certificated teaching
22 experience in the school entity where the student teacher is
23 placed.

24 "Department." The Department of Education of the
25 Commonwealth.

26 "Institution of higher education." A college or university
27 that offers a program approved by the department to prepare
28 professional personnel for employment in a school entity in
29 accordance with 22 Pa. Code Ch. 49 (relating to certification of
30 professional personnel).

1 "Nonpublic school." As defined in section 923.3-A(b).

2 "Program." The Educator Pipeline Support Grant Program
3 established under section 1203-B.

4 "School entity." A school district, intermediate unit, area
5 career and technical school, charter school, regional charter
6 school or cyber charter school operating within this
7 Commonwealth.

8 "Student teacher." An individual participating in a
9 classroom teaching experience who, as part of an approved
10 educator preparation program for the initial or advanced
11 preparation of professional educators, performs classroom
12 teaching or assists in a school entity's or nonpublic school's
13 education program under the supervision of a cooperating
14 teacher.

15 Section 1203-B. Program establishment and duties of agency.

16 (a) Establishment.--The Educator Pipeline Support Grant
17 Program is established within the agency.

18 (b) Duties.--The agency, in consultation with the
19 department, shall administer the program and, in the agency's
20 sole discretion, award a grant to an individual who submits a
21 completed application and satisfies the eligibility requirements
22 under section 1204-B.

23 (c) Application.--No later than 120 days after the effective
24 date of this subsection, the agency shall develop and make
25 available an application form that an individual who is seeking
26 placement as a student teacher may use to apply for a grant
27 under the program.

28 (d) (Reserved).

29 (e) Grant amount.--

30 (1) A student teacher shall receive a minimum grant of

1 \$10,000.

2 (2) A payment received by an individual under this
3 article shall not be included in classes of income under
4 section 303 of the act of March 4, 1971 (P.L.6, No.2), known
5 as the Tax Reform Code of 1971.

6 (f) Additional grant amount for certain areas.--

7 (1) An eligible student teacher who completes required
8 student teaching in a school entity in an area of this
9 Commonwealth that attracts few student teachers or that has a
10 high rate of open teaching positions shall, in addition to
11 the amount awarded under subsection (e)(1), receive a minimum
12 grant amount of \$5,000. The agency, in consultation with the
13 department, shall utilize data from the department to
14 determine the areas identified in this paragraph.

15 (2) For the purposes of computing the tax under Article
16 III of the Tax Reform Code of 1971, the classes of income
17 under section 303 of the Tax Reform Code of 1971 shall not
18 include a payment received by an individual under this
19 article.

20 (g) Funding.--

21 (1) The agency shall use money appropriated for the
22 purpose of the program and may accept funding from public and
23 private sources, including the Federal Government, for the
24 payment of grants under this section.

25 (2) If the agency determines that the demand for the
26 program exceeds the available resources, the agency may
27 request additional funding as part of the agency's budget
28 request for the next fiscal year in accordance with section
29 610 of the act of April 9, 1929 (P.L.177, No.175), known as
30 The Administrative Code of 1929.

1 (h) Additional duties.--When the agency awards a grant to a
2 student teacher under this article, the agency shall also award
3 a grant payment to the student teacher's cooperating teacher.
4 The cooperating teacher shall receive a minimum grant of \$2,500.
5 The agency may reduce the grant award amount to a cooperating
6 teacher if the cooperating teacher receives compensation from an
7 institution of higher education for serving as a cooperating
8 teacher. An institution of higher education may not charge a
9 student teacher WHO RECEIVES A GRANT for the cost of paying a <--
10 cooperating teacher.

11 (i) Dissemination of information.--The agency shall annually
12 provide information about the program on the department's
13 publicly accessible Internet website and to all approved
14 educator preparation programs and public and nonpublic secondary
15 schools. An approved educator preparation program shall annually
16 disseminate information about the program, including information
17 identifying the school entities that qualify the student for an
18 additional grant award amount under ~~section 1203-B(f)~~ SUBSECTION <--
19 (F).

20 (j) Payment.--The agency shall establish a method for paying
21 grant awards under the program to a school entity or nonpublic
22 school. The school entity or nonpublic school shall use all of
23 the money received under the program for payment to student
24 teachers and cooperating teachers as required by this section
25 and the agency.

26 (k) Administrative fee.--The agency may take a reasonable
27 administrative fee for direct costs associated with the
28 implementation, administration and servicing of the program. The
29 fee shall be taken from the funding received under subsection
30 (g) and may not exceed 5%.

1 Section 1204-B. Eligibility.

2 (a) Eligibility.--For an individual to be eligible for a
3 grant AS A STUDENT TEACHER under the program, the individual <--
4 shall meet all of the following:

5 (1) Be currently enrolled in an institution of higher
6 education located in this Commonwealth.

7 (2) Be currently enrolled in an approved educator
8 preparation program.

9 (3) Meet the minimum grade point average established
10 under 22 Pa. Code § 354.24 (relating to academic
11 performance).

12 (4) Be placed in a position as a student teacher at a
13 school entity or nonpublic school located in this
14 Commonwealth.

15 (5) Have obtained the necessary clearances required
16 under section 111 and 23 Pa.C.S. § 6344(a.1) (relating to
17 employees having contact with children; adoptive and foster
18 parents).

19 (6) Agree to work as a teacher at a school entity or
20 nonpublic school in this Commonwealth for a period of no less
21 than three years, unless the agency determines that there are
22 extenuating circumstances.

23 (b) Construction.--Nothing in this section shall be deemed
24 to create a right of an individual to receive a grant under the
25 program.

26 (c) Limitation.--An individual may not receive more than one
27 grant from the agency under the program. AS A STUDENT TEACHER. <--
28 THIS SUBSECTION SHALL NOT APPLY TO GRANTS RECEIVED BY A
29 COOPERATING TEACHER.

30 Section 1205-B. Report.

1 (a) General rule.--The agency shall prepare and submit to
2 the Governor, the Secretary of Education and the General
3 Assembly no later than December 31, 2024, and each December 31
4 thereafter, to the extent that funds are available, a report
5 detailing the operation of the program. The report shall, at a
6 minimum, include:

7 (1) The number of applicants.

8 (2) The number of applicants who received a grant under
9 the program.

10 (3) The number of applicants who received an additional
11 award under section 1203-B(f).

12 (4) A list of school entities or nonpublic schools where
13 an applicant served as a student teacher.

14 (5) A list of approved educator preparation programs
15 where applicants who were awarded a grant were enrolled.

16 (6) A list of school entities where grantees are
17 employed following certification.

18 (7) The number of applicants who did not fulfill the
19 requirements under section 1204-B(a)(6).

20 (8) Any other information the agency determines.

21 (b) Coordination.--The department and the Department of
22 Labor and Industry shall assist the agency by providing
23 necessary data to determine outcomes related to the program.
24 Section 1206-B. Data collection.

25 (a) Student teaching placement data.--The department shall
26 maintain a database of student teaching opportunities for the
27 upcoming school year. The following shall apply to the database:

28 (1) A school entity or nonpublic school who is
29 interested in hosting a student teacher may submit to the
30 department the number of student teachers the school entity

1 or nonpublic school is seeking for the upcoming school year.
2 If a school entity's or nonpublic school's request for
3 student teachers from the previous school year was not
4 fulfilled, the school entity or nonpublic school may report
5 the shortage of requested student teachers.

6 (2) Each approved educator preparation program shall
7 submit to the department the number of student teachers
8 placed by the approved educator preparation program in the
9 previous school year. If the approved educator preparation
10 program had more requests for student teachers than available
11 student teachers, the approved educator preparation program
12 shall report the shortage of available student teachers to
13 the department.

14 (3) No later than July 31, 2023, and each July 31
15 thereafter, each approved educator preparation program shall
16 report:

17 (i) The number of agreements between approved
18 educator preparation programs and school entities or
19 nonpublic schools for the purpose of placing student
20 teachers.

21 (ii) The name of each school entity or nonpublic
22 school with which an approved educator preparation
23 program entered into an agreement.

24 (iii) The number of student teachers placed in the
25 previous year by an approved educator preparation program
26 and the school entity or nonpublic school at which the
27 student teacher was placed.

28 (b) (Reserved).

29 Section 1207-B. Miscellaneous provisions.

30 (a) Institutions of higher education.--Within one year of

1 the effective date of this section, if an institution of higher
2 education requires a student enrolled in an approved educator
3 preparation program to take a class or seminar as part of the
4 student teaching experience while the student is participating
5 in a student teaching program, the institution of higher
6 education shall provide the student with the ability to
7 participate in the class or seminar by virtual means.

8 (b) Credit.--If a student teacher receives a ~~stipend~~ GRANT <--
9 UNDER THE PROGRAM, an approved educator preparation program may
10 not prohibit the student teacher from receiving academic credit
11 for participating in a student teacher experience if the student
12 teacher successfully completes the student teaching experience.

13 Section 3. This act shall take effect immediately.