

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

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, 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, 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 AND FOR PERMIT FOR CLASSROOM MONITORS. <--

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 1. SECTION 129 OF THE ACT OF MARCH 10, 1949 (P.L.30, <--
17 NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED TO
18 READ:

19 Section 129. Special Provisions Applicable to Limited School
20 Years.--Notwithstanding any provision of law or regulation to
21 the contrary, [for the 2021-2022 {and} 2022-2023, 2023-2024 and <--

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1 ~~2024-2025~~ school years,] if, in the judgment of a school
 2 employer, an emergency or shortage of day-to-day substitute
 3 teachers exists under 24 Pa.C.S. § 8346(b) (relating to
 4 termination of annuities), the school employer may hire an
 5 annuitant, as defined in 24 Pa.C.S. § 8102 (relating to
 6 definitions), regardless of whether the school employer first
 7 attempts to secure nonretired personnel, except that the school
 8 employer shall comply with section 1125.1(d) (2) by first
 9 offering the work to any certified professional employe on a
 10 recall list. The provisions of 24 Pa.C.S. § 8346(b) regarding
 11 the continuation of annuity or distributions to an annuitant who
 12 returns to school service during an emergency shall apply to
 13 annuitants hired under this section. Nothing under this section
 14 shall supersede or preempt a provision of an existing collective
 15 bargaining agreement between a school employer and an exclusive
 16 representative of the employes under the act of July 23, 1970
 17 (P.L.563, No.195), known as the "Public Employe Relations Act."

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18 SECTION 2. SECTION 1201.1(3) OF THE ACT IS AMENDED AND THE
 19 SECTION IS AMENDED BY ADDING A PARAGRAPH TO READ:

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

25 * * *

26 (3) An individual receiving a Substitute Teaching Permit for
 27 Prospective Teachers may serve as a substitute teacher for no
 28 more than ten (10) days per school year for a single
 29 professional employe or temporary professional employe, provided
 30 that the individual may serve as a substitute for multiple

1 professional employes or temporary professional employes for no
2 more than twenty (20) days per school year. [For the 2021-2022 <--
3 ~~and~~, 2022-2023, ~~2023-2024 and 2024-2025~~] SUBJECT TO PARAGRAPH <--
4 (3.1), FOR THE 2023-2024, 2024-2025 AND 2025-2026 school years,
5 the number of days or hours per school year for which an
6 individual receiving a permit under this section may serve as a
7 substitute teacher shall not be limited, except for an
8 individual who is undertaking a student teacher program as
9 required under 22 Pa. Code § 354.25(f) (relating to preparation
10 program curriculum) for educator preparation programs.

11 (3.1) DURING AN INDIVIDUAL'S STUDENT TEACHER PROGRAM <--
12 REQUIRED UNDER 22 PA. CODE § 354.25(F) (RELATING TO PREPARATION
13 PROGRAM CURRICULUM) FOR EDUCATOR PREPARATION PROGRAMS, THE
14 INDIVIDUAL MAY SERVE AS A SUBSTITUTE TEACHER FOR NO MORE THAN
15 TEN (10) DAYS IN THE INDIVIDUAL'S ASSIGNED CLASSROOM OR
16 CLASSROOMS OR FOR OTHER TEACHERS WITHIN THE BUILDING OR
17 BUILDINGS IN WHICH THE INDIVIDUAL HAS BEEN PLACED AS A STUDENT
18 TEACHER.

19 * * *

20 SECTION 3. SECTIONS 1215 AND 1218(E), (F) AND (G) OF THE ACT <--
21 ARE AMENDED TO READ:

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

1 substitute teacher certificate shall only be used for day-to-day
2 assignments and shall expire upon the termination of any summer
3 school conducted in the summer which follows the date of
4 issuance or upon the receipt of Instructional I certification by
5 the individual. [~~For the 2021-2022 +and+ 2022-2023, 2023-2024~~ <--
6 ~~and 2024-2025~~ school years, the] THE temporary substitute <--
7 teacher certificate issued under this section may be used for
8 assignments of more than twenty (20) consecutive days to fill a
9 position due to the absence of professional certified personnel.

10 SECTION 1218. PERMIT FOR CLASSROOM MONITORS.--* * * <--

11 (E) EACH SCHOOL ENTITY SHALL REPORT TO THE DEPARTMENT THE
12 FOLLOWING BY MARCH 31, [~~2023~~] 2026:

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

16 (2) THE SCHOOL ENTITY'S DAY-TO-DAY SUBSTITUTE TEACHER
17 COMPENSATION RATES IN EACH OF THE SCHOOL YEARS FROM 2020-2021[,
18 2021-2022 AND 2022-2023 SCHOOL YEARS] THROUGH 2025-2026. FOR A
19 SCHOOL ENTITY THAT USES A THIRD-PARTY ENTITY TO PROVIDE
20 SUBSTITUTE TEACHERS, THE RATE REPORTED BY THE SCHOOL ENTITY
21 SHALL BE THE TAKE-HOME AMOUNT RECEIVED BY AN INDIVIDUAL,
22 EXCLUDING THE PORTION PAID TO THE THIRD-PARTY ENTITY. THE
23 DEPARTMENT SHALL ISSUE RULES NECESSARY TO EFFECTUATE THIS
24 SUBSECTION.

25 (F) BY APRIL 15, [~~2023~~] 2026, THE DEPARTMENT SHALL ISSUE A
26 REPORT ON THE EFFECTIVENESS OF THE CLASSROOM MONITOR PERMIT AND
27 RECOMMENDATIONS FOR IMPROVEMENT OR CONTINUATION OF THE PERMIT.
28 THE REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE INFORMATION
29 REPORTED TO THE DEPARTMENT UNDER SUBSECTION (E) AND A FORMAL
30 EVALUATION OF THE PERMIT AND ITS EFFECTIVENESS BY AN INDEPENDENT

1 RESEARCH ORGANIZATION WHICH MAY INCLUDE A COLLEGE OR UNIVERSITY
2 ACCREDITED BY A REGIONAL ACCREDITING AGENCY. THE REPORT SHALL BE
3 SUBMITTED TO THE GENERAL ASSEMBLY AND THE STATE BOARD AND SHALL
4 BE POSTED ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET
5 WEBSITE.

6 (G) THIS SECTION SHALL EXPIRE ON JUNE 30, [2023] 2026.

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

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