

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1039 Session of
2015

INTRODUCED BY O'NEILL, COX, EVERETT, GABLER, J. HARRIS,
LAWRENCE, McNEILL, MURT, PETRI, RADER, RAPP, REESE, SACCONI,
SAYLOR, TALLMAN, TOOIL AND TRUITT, APRIL 20, 2015

REFERRED TO COMMITTEE ON EDUCATION, APRIL 20, 2015

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 certification of teachers, further
6 providing for certificates qualifying persons to teach.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 1201 of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended June 30, 2011 (P.L.112, No.24), is amended to read:

12 Section 1201. Certificates Qualifying Persons to Teach.--
13 [Only] (a) Except as provided under subsection (b), only those
14 persons holding one of the following certificates shall be
15 qualified to teach in the public schools of this Commonwealth--
16 (1) Permanent college certificate, (2) provisional college
17 certificate, (3) normal school diploma, (4) normal school
18 certificate, (5) special permanent certificate, (6) special
19 temporary certificate, (7) permanent State certificate, (8)

1 residency certificate, (9) intern certificate, (10) certificates
2 which are permanent licenses to teach by virtue of the
3 provisions of section one thousand three hundred eight of the
4 act, approved the eighteenth day of May, one thousand nine
5 hundred eleven (Pamphlet Laws 309), as amended, which is
6 repealed hereby, or (11) such other kinds of certificates as are
7 issued under the standards prescribed by the State Board of
8 Education. The State Board of Education shall also provide for
9 issuance of certificates by district superintendents to meet
10 such emergencies or shortage of teachers as may occur.

11 (b) An individual who does not hold a certificate under
12 subsection (a) shall be eligible to teach as a substitute in a
13 school entity provided that:

14 (1) The uncertified individual shall meet all of the
15 following requirements:

16 (i) Possess a baccalaureate degree from a college or
17 university accredited by a regional accrediting agency
18 recognized by the United States Department of Education.

19 (ii) Satisfy the requirements set forth in sections 111,
20 111.1 and 1109(a) and 23 Pa.C.S. Ch. 63 Subch. C (relating to
21 powers and duties of department).

22 (2) The school entity shall make a bona fide effort to
23 employ a certified individual before employing an uncertified
24 individual.

25 (3) The uncertified individual shall serve as a substitute
26 for a single professional employe or temporary professional
27 employe for no more than fourteen (14) consecutive days in a
28 school year, provided that the uncertified individual may serve
29 as a substitute for multiple professional employes or temporary
30 professional employes.

1 (4) The individual shall receive a salary fixed by the
2 governing board of the school entity.

3 (5) The individual shall not have the right to elect
4 membership in the Public School Employees' Retirement System
5 established under the Public School Employees' Retirement Code,
6 24 Pa.C.S. Chs. 81 (relating to preliminary provisions) and 91
7 (relating to miscellaneous provisions), nor shall service as a
8 substitute under this subsection be eligible for credit in the
9 Public School Employees' Retirement System.

10 (c) As used in this section:

11 "Professional employe" shall have the meaning set forth in
12 section 1101(1).

13 "School entity" shall mean an area vocational-technical
14 school, a school district or an intermediate unit.

15 "Substitute" shall have the meaning set forth in section
16 1101(2).

17 "Temporary professional employe" shall have the meaning set
18 forth in section 1101(3).

19 Section 2. This act shall take effect in 60 days.