

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,
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DALEY AND CERRATO, JUNE 6, 2023

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 13, 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:

19 (1) Allow a school entity or nonpublic school to post in

1 real time an employe vacancy. The department shall determine
2 information to be required as part of a posting.

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

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

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

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

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

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

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

20 "Employe." The following:

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

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

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

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

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

30 Section 131. Instructional Vacancy Data.--(a) The

1 department shall require a school entity to submit certain
2 information relating to instructional vacancies, including, at a
3 minimum, the number of instructional vacancies, the number of
4 emergency permits utilized by a school entity and the number of
5 positions occupied by long-term substitutes. The department
6 shall determine the form and manner in which the information is
7 to be submitted by a school entity. To the best extent possible,
8 the department shall utilize existing reporting methods to
9 collect this data. By August 31, 2023 2024, and each August 31 <--
10 thereafter, each school entity shall report the following to the
11 department:

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

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

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

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

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

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

28 Section 132. Data Transparency.--(a) To the extent that
29 funding is made available, no later than December 31 of each
30 year, the department shall post on its publicly accessible

1 Internet website data related to the educator workforce in this
2 Commonwealth that allows members of the public to view,
3 disaggregate and manipulate the following data if collected by
4 the department:

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

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

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

18 (i) Complete the program.

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

21 (iii) Receive certification.

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

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

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

30 (b) The department may contract with an outside organization

1 to meet the requirements of this section.

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

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

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

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

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

21 (d) 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, cyber charter school,
27 charter school, regional charter school, area career and
28 technical school or intermediate unit.

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

30 ARTICLE XII-B

1 EDUCATOR PIPELINE SUPPORT GRANT PROGRAM

2 Section 1201-B. Scope of article.

3 This article relates to educator workforce.

4 Section 1202-B. Definitions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (d) (Reserved).

28 (e) Grant amount.--

29 (1) A student teacher shall receive a minimum grant of
30 \$10,000.

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

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

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

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

19 (g) Funding.--

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

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

30 (h) Additional duties.--When the agency awards a grant to a

1 student teacher under this article, the agency shall also award
2 a grant payment to the student teacher's cooperating teacher.
3 The cooperating teacher shall receive a minimum grant of \$2,500.
4 The agency may reduce the grant award amount to a cooperating
5 teacher if the cooperating teacher receives compensation from an
6 institution of higher education for serving as a cooperating
7 teacher. An institution of higher education may not charge a
8 student teacher for the cost of paying a cooperating teacher.

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

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

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

28 Section 1204-B. Eligibility.

29 (a) Eligibility.--For an individual to be eligible for a
30 grant under the program, the individual shall meet all of the

1 following:

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

4 (2) Be currently enrolled in an approved educator
5 preparation program.

6 (3) Meet the minimum grade point average established
7 under 22 Pa. Code § 354.24 (relating to academic
8 performance).

9 (4) Be placed in a position as a student teacher at a
10 school entity or nonpublic school located in this
11 Commonwealth.

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

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

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

23 (c) Limitation.--An individual may not receive more than one
24 grant from the agency under the program.

25 Section 1205-B. Report.

26 (a) General rule.--The agency shall prepare and submit to
27 the Governor, the Secretary of Education and the General
28 Assembly no later than December 31, 2024, and each December 31
29 thereafter, to the extent that funds are available, a report
30 detailing the operation of the program. The report shall, at a

1 minimum, include:

2 (1) The number of applicants.

3 (2) The number of applicants who received a grant under
4 the program.

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

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

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

11 (6) A list of school entities where grantees are
12 employed following certification.

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

15 (8) Any other information the agency determines.

16 (b) Coordination.--The department and the Department of
17 Labor and Industry shall assist the agency by providing
18 necessary data to determine outcomes related to the program.

19 Section 1206-B. Data collection.

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

23 (1) A school entity or nonpublic school who is
24 interested in hosting a student teacher may submit to the
25 department the number of student teachers the school entity
26 or nonpublic school is seeking for the upcoming school year.
27 If a school entity's or nonpublic school's request for
28 student teachers from the previous school year was not
29 fulfilled, the school entity or nonpublic school may report
30 the shortage of requested student teachers.

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

9 (3) No later than July 31, 2023, and each July 31
10 thereafter, each approved educator preparation program shall
11 report:

12 (i) The number of agreements between approved
13 educator preparation programs and school entities or
14 nonpublic schools for the purpose of placing student
15 teachers.

16 (ii) The name of each school entity or nonpublic
17 school with which an approved educator preparation
18 program entered into an agreement.

19 (iii) The number of student teachers placed in the
20 previous year by an approved educator preparation program
21 and the school entity or nonpublic school at which the
22 student teacher was placed.

23 (b) (Reserved).

24 Section 1207-B. Miscellaneous provisions.

25 (a) Institutions of higher education.--Within one year of
26 the effective date of this section, if an institution of higher
27 education requires a student enrolled in an approved educator
28 preparation program to take a class or seminar as part of the
29 student teaching experience while the student is participating
30 in a student teaching program, the institution of higher

1 education shall provide the student with the ability to
2 participate in the class or seminar by virtual means.

3 (b) Credit.--If a student teacher receives a stipend, an
4 approved educator preparation program may not prohibit the
5 student teacher from receiving academic credit for participating
6 in a student teacher experience if the student teacher
7 successfully completes the student teaching experience.

8 Section 3. This act shall take effect immediately.