

PUBLIC SCHOOL CODE OF 1949
Act of Mar. 10, 1949, P.L. 30, No. 14
AN ACT

Article XII. Certification of Teachers

Section 1205.1. Continuing Professional Development.--(a) Upon the expiration of an existing professional development plan, each school entity shall submit to the secretary for approval a three-year professional education plan.

(b) The professional education plan provided for in subsection (a) shall be prepared by a committee consisting of teacher representatives divided equally among elementary, middle and high school teachers chosen by the teachers, educational specialist representatives chosen by educational specialists and administrative representatives chosen by the administrators of the school entity. The committee shall include parents of children attending a school in the district, local business representatives and other individuals representing the community appointed by the board of directors. The plan shall be approved by the board of directors prior to submission to the department for approval. Amendments to the plan may be recommended by the continuing professional education committee, approved by the board of directors of the school entity and submitted to the department for approval. The secretary may specify the time at which and the form in which such plans are to be submitted. The State Board of Education shall promulgate regulations, subject to the act of June 25, 1982 (P.L.633, No.181), known as the "Regulatory Review Act," establishing the minimal content of such plans. The provisions of section 2552 shall apply to any school entity failing to comply with the provisions of this section.

(c) The professional education plan of each school entity shall be designed to meet the educational needs of that school entity and its professional employees. A school entity shall annually review its plan to determine whether or not it continues to reflect the needs of the school entity and the needs of its professional employees, students and the community. The plan shall be amended as necessary to ensure that the plan meets the requirements of this subsection. The plan shall specify the continuing professional educational courses, programs, activities and other learning experiences approved to meet continuing professional development requirements under section 1205.2(c), including efforts designed to improve teacher knowledge in subject areas covering the academic standards listed in 22 Pa. Code Ch. 4 (relating to academic standards and assessment). ((c) amended June 30, 2012, P.L.684, No.82)

(c.1) The continuing professional education plan shall specify the professional education needs that will be met by completion of each continuing professional education option and how it relates to areas of assignment and certification or potential administrative certification. The options may include, but shall not be limited to:

- (1) Collegiate studies.
- (2) Continuing professional education courses taken for credit.
- (3) Other programs, activities or learning experiences taken for credit or hourly, to include:
 - (i) curriculum development and other program design and delivery activities at the school entity or grade level as determined by the school entity and approved by the board of directors;
 - (ii) participation in professional conferences and workshops;
 - (iii) education in the workplace, where the work relates to the professional educator's area of assignment and is approved by the board of directors;
 - (iv) review, redesign and restructuring of school programs, organizations and functions as determined by the school entity and approved by the board of directors;
 - (v) in-service programs that comply with guidelines established by the department;
 - (vi) early childhood and child development activities for professional educators whose area of assignment includes kindergarten through third grade;
 - (vii) special education activities for professional educators whose area of assignment includes students with special needs;
 - (viii) successful completion of department training for service as a Distinguished Educator if the professional educator participates in and completes at least one assignment in the Distinguished Educators Program; or
 - (ix) other continuing professional education courses, programs, activities or learning experiences sponsored by the department.

((c.1) amended July 11, 2006, P.L.1092, No.114)

(c.2) A professional education plan may include joint or cooperative professional education activities with another school entity or an institution of higher education.

(c.3) A professional education plan shall describe how the plan meets the educational and staff development needs of the school entity, its professional educators, students and the community. The professional education plan shall identify the individuals who developed the plan and the method used to select those individuals.

(c.4) A professional education plan shall identify any provider approved by the professional education committee to provide the continuing professional education options listed in the

plan. Such providers shall be required to provide the school entity with official notice of the credits or hours of continuing professional education options successfully completed by the school entity's professional educators.

(d) All professional educators of a school entity shall meet the professional education requirements of this section and section 1205.2 in order for the professional educator to maintain active certification.

(e) The requirements of this section and section 1205.2 do not apply to a professional educator not employed by a school entity who serves as an evaluator of a home education program authorized under section 1327.1(e)(2) or who provides private tutoring services as part of a home education program under section 1327.1. ((e) amended June 22, 2001, P.L.530, No.35)

(f) (1) Beginning on the effective date of this subsection, the requirements under subsections (a), (b), (c), (c.1), (c.2), (c.3), (c.4), (d) and (e) shall be suspended until June 30, 2013. ((1) amended July 5, 2012, P.L.965, No.105)

(2) Notwithstanding this subsection, the provisions of sections 1003(a)(3) and (c) and 1207.1(d)(1)(iv) requiring that candidates for appointment as a district superintendent or assistant district superintendent and candidates for administrative and vocational director certificates complete a leadership development program that meets the Pennsylvania school leadership standards under section 1217 shall not be suspended.

((f) added June 30, 2011, P.L.112, No.24)

(1205.1 amended Nov. 23, 1999, P.L.529, No.48)

Compiler's Note: See section 42 of Act 24 of 2011 in the appendix to this act for special provisions relating to construction of law.

Section 1205.2. Program of Continuing Professional Education.--(a) A continuing professional education program is hereby established for professional educators, the satisfactory completion of which is required to maintain active certification. Except as provided in subsection (n.1), the continuing professional education program shall require the satisfactory completion of continuing professional education every five (5) years, which shall include:

(1) six (6) credits of collegiate study;

(2) six (6) credits of continuing professional education courses;

(3) one hundred eighty (180) hours of continuing professional education programs, activities or learning experiences; or

(4) any combination of collegiate studies, continuing professional education courses, or other programs, activities or learning experiences equivalent to one hundred eighty (180) hours.

((a) amended July 5, 2012, P.L.965, No.105)

(b) For the purposes of calculating hours and credits of continuing professional education, one (1) credit of collegiate studies or continuing professional education courses shall be equivalent to thirty (30) hours of continuing professional education programs, activities or learning experiences. In the initial year of the implementation of the continuing professional education requirements under this subsection, the department may evaluate and approve credits or continuing professional education courses which were completed on or after January 1, 2000, for application to the continuing professional educational requirement.

(c) The requirements of subsection (a) may be satisfied by a professional educator, whether or not presently employed by a school entity, by the successful completion of credits or hours to include any of the following:

(1) Credits of collegiate studies related to an area of the professional educator's assignment or certification at an institution of higher education approved by the department.

(2) Credits of continuing professional education courses related to an area of the professional educator's assignment or certification conducted by providers approved by the department.

(3) Hours of other continuing professional education programs, activities or learning experiences related to an area of the professional educator's assignment or certification conducted by providers approved by the department.

(4) Credits or hours completed in any collegiate studies, continuing professional education courses or continuing professional education programs, activities or learning experiences included in the professional education plan of the professional educator's school entity and conducted by:

(i) the department;

(ii) providers approved by the department;

(iii) the professional educator's school entity; or

(iv) providers approved as part of the professional education plan of the professional educator's school entity.

(5) Credits or hours not included in clauses (1) through (4) approved by the board of directors of the school entity.

(6) Credits or hours required to obtain administrator certification.

(7) Credits or hours in an area other than the area of the professional educator's assignment or certification if the professional educator may be transferred by the board of directors to another assignment. The credits or hours must be approved for the professional educator by the board of directors.

(8) Successful completion of department training for service as a Distinguished Educator if the professional educator participates in and completes at least one assignment in the Distinguished Educators Program.

((c) amended July 11, 2006, P.L.1092, No.114)

(d) In order to ensure that credits and hours of continuing professional education are of high quality and designed to significantly advance the goals of improving and updating the educational skills of professional educators in this Commonwealth, the department shall develop and implement guidelines to approve certain providers of continuing professional education programs. The guidelines shall include a process to approve:

(1) providers of collegiate studies;

(2) providers of professional education courses;

(3) providers of continuing professional education programs, activities or learning experiences, provided, the department, a professional educator's school entity or a provider approved as part of the school entity's professional education plan need not be approved by the department; and

(4) providers included as part of the professional education plan of a school entity for use by a school entity's professional education committee.

(e) If the school entity is assuming all costs of credits or hours, the board of directors may disapprove any course, program, activity or learning experience that is inconsistent with the goals of the professional educational plan.

(f) Except as provided in subsection (n.1), the department shall annually provide a minimum of forty (40) hours of continuing professional education courses, programs, activities or learning experiences at no charge to professional educators. In providing these courses, the department shall seek to use the most efficient and cost-effective means possible, including the use of advanced technology such as CD-ROM, the Internet and distance communication. ((f) amended July 5, 2012, P.L.965, No.105)

(g) The department shall adopt guidelines to establish a system for maintaining records of credits and hours of continuing professional education successfully completed by professional educators. Those guidelines shall include requirements that:

(1) A school entity shall notify the department and the professional educator employed by the school entity of the successful completion of credits or hours of programs, activities or learning experiences conducted by the school entity and shall forward to the department any official notice given by a provider identified in the school entity's professional education plan that a professional educator has successfully completed credits or hours of collegiate studies, continuing professional education courses or programs, activities or learning experiences conducted by the provider.

(2) An approved provider shall notify the department, the school entity that employs the professional educator and the professional educator of the successful completion of credits or hours of collegiate studies, continuing professional education courses or programs, activities or learning experiences conducted by the approved provider.

(3) The department shall notify the school entity that employs the professional educator and the professional educator of the successful completion of credits or hours of continuing professional education courses or programs, activities or learning experiences conducted by the department.

(h) The department shall provide the following information to professional educators and school entities:

(1) Notice of the number of credits or hours needed for a professional educator to comply with this section, as of the date on which such notice is given. Such notice shall be provided no later than twelve (12) months prior to the end of a professional educator's five-year compliance period. For professional educators who have not completed sufficient credits or hours to comply with this section, such notice shall be provided in writing and mailed to the most recent address on record with the department. For professional educators who have completed sufficient credits or hours to comply with this section, such notice shall be provided by electronic means, which shall include a notation on the electronic system maintained by the department pursuant to subsection (g) affirming that the professional educator has completed sufficient credits or hours to comply with this section.

(2) Reasonable access to reports and records relating to a professional educator's continuing professional education.

(3) Notice of inactive certification requested by a professional educator.

(4) Notice of inactive certification due to failure of the professional educator to meet the requirements of this section, whether or not the individual is employed by a school entity. The notice shall be provided no later than thirty-one (31) days prior to the date on which a

professional educator's certificate is placed in inactive status, provided that the department may only place a professional educator's certificate in inactive status between June 30 and July 31.

(5) Notice of reinstatement.

((h) amended July 20, 2007, P.L.278, No.45)

(h.1) Whenever a professional educator moves from the address named in the application for State certification or from the professional educator's current address, such professional educator shall notify the department and provide the department with the most current address. Notification shall be made in a form and manner determined by the department. ((h.1) added July 13, 2005, P.L.226, No.46)

(i) The Secretary of Education shall provide an educator with the opportunity to appeal any determination that the educator's certification is inactive pursuant to 2 Pa.C.S. Chs. 5 (relating to practice and procedure) and 7 (relating to judicial review). If the secretary determines that an educator's certificate is inactive under this subsection, the effective date of the determination shall be between June 30 and July 31. ((i) amended July 20, 2007, P.L.278, No.45)

(j) The department shall establish a procedure to grant extensions to professional educators to fulfill the requirements of this section based upon extenuating circumstances.

(j.1) ((j.1) expired May 1, 2006. See Act 46 of 2005.)

(j.2) ((j.2) expired May 1, 2006. See Act 46 of 2005.)

(k) A professional educator who is not employed by a school entity as a professional or temporary professional employe may apply to the department for inactive certification. Inactive certification shall:

(1) Suspend the requirements of this section until inactive certification is removed by the department. Upon the removal of inactive certification, a professional educator shall have the same number of hours of continuing professional education and the same amount of time in which to complete those hours as existed for the professional educator at the time inactive certification was granted.

(2) Be removed by the department upon the application of the professional educator and evidence of the completion of thirty (30) hours of continuing professional education within the immediate preceding twelve (12) months. The department shall establish guidelines to approve courses that will authorize the removal of inactive certification.

(3) Disqualify an individual from being employed by a school entity as a professional or temporary employe. An individual with inactive certification may be employed as a substitute

teacher, principal, superintendent or assistant superintendent in accordance with the endorsement on the individual's certificate or letter of eligibility for no more than ninety (90) days during a school year.

((k) amended June 22, 2001, P.L.530, No.35)

(k.1) (1) Notwithstanding the provisions of subsections (a) and (k), the certificate of a professional educator who is an annuitant as defined in 24 Pa.C.S. § 8102 (relating to definitions) or 71 Pa.C.S. § 5102 (relating to definitions) shall be considered active for so long as the professional educator is an annuitant, except as otherwise provided in this subsection.

(2) For a professional educator annuitant who terminates the annuity or whose annuity ceases under the provisions of 24 Pa.C.S. § 8346(a) (relating to termination of annuities) or returns to school service under the provisions of 24 Pa.C.S. § 8346(b), the requirements of subsection (a) shall not apply for the first 180 days for which the professional educator annuitant returns to school service.

(3) A professional educator annuitant who has returned to school service and who continues in school service for more than one hundred eighty (180) days shall fulfill the requirements of subsection (a) beginning with the one hundred eighty-first day for which the professional educator has returned to school service. Such professional educator shall have the same number of hours of continuing professional education and the same amount of time to complete those hours as existed for the professional educator at the time the professional educator became an annuitant: Provided, That any collegiate studies, continuing professional education courses, or other programs, activities or learning experiences completed by a professional educator annuitant during the one hundred eighty (180) days for which the requirements of subsection (a) are not applicable under paragraph (2) shall be added to the number of hours of continuing professional education the professional educator had at the time the professional educator became an annuitant.

(4) The department shall promulgate a standard pursuant to the act of June 25, 1982 (P.L.633, No.181), known as the "Regulatory Review Act," requiring school entities to report to the department the employment of professional educator annuitants subject to 24 Pa.C.S. § 8346(b) and this subsection.

((k.1) added Feb. 2, 2006, P.L.19, No.5)

(l) The department shall submit an annual report to the chairman and minority chairman of the Appropriations Committee and the Education Committee of the Senate and the chairman and minority chairman of the Appropriations Committee and the Education Committee of the House of Representatives regarding the program of continuing professional education. The report shall include information about programs offered by the department, including costs, the number of professional educators who have met continuing professional education

requirements during each compliance period and the number of professional educators who have not met the requirements.

(m) The State Board of Education may promulgate any final-omitted regulations necessary to implement this section.

(n) Nothing contained in this act shall supersede or preempt any provisions of a collective bargaining agreement between a school entity and an employe organization in effect on the effective date of this act.

(n.1) (1) Beginning on the effective date of this subsection, the requirements under subsections (a) and (f) shall be suspended until June 30, 2013. During that time, the Legislative Budget and Finance Committee shall conduct a study of the costs and benefits of the continuing professional education program. An interim report shall be due on November 30, 2012, and the final report shall be due on March 1, 2013. On July 1, 2013, each professional educator shall have the same number of hours of continuing professional education and the same amount of time in which to complete those hours as existed for the professional educator on the effective date of this subsection: Provided, however, That any continuing professional education credits or hours completed by a professional educator during the period of suspension under this subsection shall be credited to the professional educator's continuing professional education record.

(2) Notwithstanding this subsection, the provisions of sections 1003(a)(3) and (c) and 1207.1(d)(1)(iv) requiring that candidates for appointment as a district superintendent or assistant district superintendent and candidates for administrative and vocational director certificates complete a leadership development program that meets the Pennsylvania school leadership standards under section 1217 shall not be suspended.

((n.1) amended July 5, 2012, P.L.965, No.105)

(o) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Approved provider" is an institution of higher education, school entity, individual, corporation, partnership, limited liability company or association approved by the department to provide continuing professional education credits or hours under this section. Provided, a school entity may approve a provider of continuing professional education credits or hours in accordance with department guidelines.

"Area of a professional educator's assignment or certification" shall mean any component of the education profession as it relates to the current job title or description of the professional educator or to any area of certification listed on the professional employe's Pennsylvania certification or to the type of certificate or endorsement held by the professional educator.

"Collegiate studies" shall mean a formal program or course of study at an institution of higher education leading to the award of academic credit.

"Compliance period" shall mean the period of time in which a professional educator must satisfactorily complete continuing professional education as required under subsection (a) and which concludes every five years beginning:

(1) July 1, 2000, for those professional educators who were issued a State certificate prior to July 1, 2000; or

(2) on the date on which the professional educator is issued a State certificate for those professional educators who were certified after July 1, 2000.

"Continuing professional education courses" shall mean courses for credit, other than collegiate studies, conducted by providers approved by the department.

"Professional educator" shall mean an individual who holds a Pennsylvania teacher, educational specialist or administrative certification or letter of eligibility.

"School entity" shall mean a school district, an intermediate unit, a joint school district, an area vocational-technical school, a charter school, the Scotland School for Veterans' Children and the Scranton School for the Deaf or any of these acting jointly.

((o) amended July 13, 2005, P.L.226, No.46)

(1205.2 added Nov. 23, 1999, P.L.529, No.48)

Compiler's Note: See section 42 of Act 24 of 2011 in the appendix to this act for special provisions relating to construction of law.

Section 30(1) of Act 46 of 2005, which amended subsections (a), (h), (j.1), (j.2) and (o), provided that the amendment shall be retroactive to April 15, 2005.