

Annex A

TITLE 22. EDUCATION

PART I. STATE BOARD OF EDUCATION

Subchapter C. HIGHER EDUCATION

CHAPTER 49. CERTIFICATION OF PROFESSIONAL PERSONNEL

Subchapter A. GENERAL PROVISIONS

THE PROGRAM

§ 49.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Alternative program provider – provider of accelerated post-baccalaureate preparation program, other than an institution of higher education, that has been approved by the Department in accordance with 24 P.S. § 12-1207.1(a).

Approved [teacher] educator certification program—A sequence of courses and experiences, offered by a preparing institution **or alternative program provider, [which] that** is reviewed and approved by the Department.

Baccalaureate degree – a conferred bachelor’s degree from an approved 4 year college or university. The Department shall accept a conferred graduate degree as satisfaction of the Baccalaureate/bachelor’s degree required for issuance of a certificate or permit.

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

Certified personnel—Professional employees, excluding school secretaries, as defined in section 1101 of the act (24 P. S. § 11-1101) and/or educators holding a comparable certificate from another state.

Completer—A candidate who has successfully met all requirements of an approved certification preparation program of any type. Except where specified in certification definitions and in program framework guidelines, Department-required certification assessments are not considered program requirements.

Culturally relevant and sustaining education—Education (CR-SE) that ensures equity for all students and seeks to eliminate systemic institutional racial and cultural barriers that inhibit the success of all Pennsylvania’s students – particularly those who have been historically underrepresented. Culturally Relevant and Sustaining Education encompasses skills for educators including, but not limited to, approaches to mental wellness, trauma-informed approaches to instruction, technological and virtual engagement, cultural awareness and any factors that inhibit equitable access for all Pennsylvania’s students.

Educator Discipline Act—24 P. S. §§ 2070.1a—2070.18a.

Historically underrepresented groups—Groups that are documented to have been represented across time in the educator population in proportions below their representation in the general population. These include, but are not limited to, people of color, the economically disadvantaged, and first-generation college-goers.

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

PSPC—Professional Standards and Practices Commission—A body composed of educators from the fields of basic and higher education, members of the general public and an ex officio member of the Board established by the **[Professional]** Educator Discipline Act.

[Professional certified personnel—Professional employees, excluding school secretaries, as defined in section 1101 of the act (24 P. S. § 11-1101).]

Professional duties—A duty the performance of which is restricted to **[professional]** personnel by the scope of their certificate.

[Professional Educator Discipline Act—24 P. S. § § 2070.1a—2070.18a.]

Professional ethics—The accepted and collectively agree upon standards of behavior, values, and principles that, in conjunction with applicable laws and regulations, are meant to inform and guide professional decision-making. These standards of behavior, values, and principles include those detailed in the most recent Model Code of Ethics for Educators, as published by the National Association of State Directors of Teacher Education and Certification, and other ethical codes, guidelines, or standards unique to professional disciplines.

School entity—Public schools, school districts, intermediate units, area **[vocational-technical career and technical]** schools, charter schools, cyber schools and independent schools.

Structured literacy—Systemic, explicit instruction that integrates listening, speaking, reading, and writing and emphasizes the structure of language across the speech sound system (phonology), the writing system (orthography), the structure of sentences (syntax), the meaningful parts of words (morphology), the relationships among words (semantics), and the organization of spoken and written discourse.

Subject Area—Specific areas of instructional content.

§ 49.12. Eligibility.

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

In accordance with sections 1109, 1202 and 1209 of the act (24 P. S. § § 11-1109, 12-1202 and 12-1209), every professional employee certified or permitted to serve in the schools of this Commonwealth shall:

(1) Be of good moral character.

[(2) Provide a physician’s certificate stating that the applicant, with or without reasonable accommodation, is able to perform successfully the essential functions and duties of an educator. A qualified applicant who has tuberculosis or another communicable disease or a mental disability, will not be deemed to pose a direct threat to the health or safety of others unless a threat to health or safety cannot be eliminated by a reasonable accommodation.]

[(3) (2) Be at least 18 years of age.

[(4) (3) Except in the case of the Resource Specialist Permit, [Vocational] Career and Technical Emergency Permit, [Vocational] Career and Technical Instructional Intern Certificate, and [Vocational] Career and Technical Instructional Certificate, have earned [minimally] a baccalaureate degree [as a general education requirement].

§ 49.13. Policies.

(b) The Department will have the following responsibilities with respect to certification and permitting of professional personnel in the schools of this Commonwealth:

(1) Provision of advisory services to college and school personnel in matters pertaining to **[teacher education] educator preparation** and certification.

(2) Designation of professional titles for personnel.

(3) Prescription of procedures for issuance of certificates and permits.

(4) Evaluation and approval of **[teacher education] educator preparation** programs leading to the certification and permitting of professional personnel.

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

(i) The evaluation by the Department will provide assurance that, on or before January 1, 2011, teacher education programs will require at least 9 credits of 270 hours, or an equivalent combination thereof, regarding accommodations and adaptations for students with disabilities in an inclusive setting. Within the context of these 9 credits or 270 hours, instruction in literacy skills development and cognitive skill development for students with disabilities must be included, as determined by the institution. At least 3 credits or 90 additional hours, or an equivalent combination thereof, must address the instructional needs of English language learners. For purposes of this requirement, 1 credit equals 30 hours of coursework. Applicable hours are limited to a combination of seat hours of classroom instruction, field observation experiences, major research assignments, and development and implementation of lesson plans with accommodations and adaptations for diverse learners in an inclusive setting.

(ii) The evaluation by the Department will provide assurance that educator preparation programs demonstrate the integration of professional ethics throughout the preparation program.

[(ii)] (iii) Program approval reviews shall be conducted by professional educators from basic and higher education.

(c) Except for applicants whose certification status is subject to subsection (b)(9) and § 49.171 (relating to general requirements), the Department will require that an applicant for a certificate shall have completed an approved **[teacher]** preparation program and shall be recommended by the preparing institution or **alternative program provider**.

(f) The Department shall prescribe procedures for evaluation of an applicant's preparation in the event that application for a certificate is made after the program at a preparing college or university has closed or been discontinued.

§ 49.14. Approval of institutions and alternative program providers.

To be authorized to conduct programs that lead to certificates for professional positions, institutions and any of their off-campus centers **as well as alternative program providers** engaged in the preparation of **[teachers] educators** shall meet the following requirements:

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

(1) Be approved as a baccalaureate or graduate degree granting institution **or alternative program provider** by the Department.

(2) Be evaluated and approved as **[a teacher] an educator** preparing institution **or alternative program provider** to offer specific programs leading to certification in accordance with procedures established by the Department.

(4) Follow Department prescribed standards developed from the following principles:

(i) Institutions **and alternative program providers** develop clear goals and purposes for each program, **[including attention to professional ethics and responsibilities.] which shall include competencies, coursework and field experiences that address professional ethics, cognitive competencies, structured literacy, and culturally relevant and sustaining education. The Department will identify these competencies and develop associated standards.**

(ii) Institutions **and alternative program providers** are able to demonstrate how instructional and clinical activities provide educator candidates with the capacity to enable the achievement of all students, including diverse learners in an inclusive setting.

(iii) Institutions **and alternative program providers** are able to demonstrate that educator candidates have participated in instructional activities that enable the candidates to provide instruction to students to meet the provisions of Chapter 4 (relating to academic standards and assessment).

(iv) Institutions **and alternative program providers** are able to demonstrate that educator candidates successfully participate in sequential clinical experiences fully integrated within the instructional program **as determined by the Secretary in consultation with the State Board.**

(v) Institutions **and alternative program providers** have clearly expressed standards for admission to, retention in and graduation from approved programs and **[actively encourage the participation of students from historically underrepresented groups.] can demonstrate recruitment and participation of students from historically underrepresented groups. Institutions and alternative program providers annually will report on students admitted, retained, and graduated from their programs, including numbers from historically underrepresented groups.**

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

(vi) Institutions **and alternative program providers shall** provide ongoing assessment of educator candidates' knowledge, skills, dispositions and performance with which to identify needs for further study, certification assessment assistance or clinical experience or dismissal from the program.

(vii) Institutions **and alternative program providers** can demonstrate how information from systematic evaluations of their programs, including students and educator evaluators, and achievement levels of candidates for certification in the Department-designed assessment program, are used for continual program improvement **and shall develop corrective action steps if identified as at-risk or low performing program providers as defined by the Department.**

(viii) Institutions **and alternative program providers**, in partnership with local education agencies, provide a school-based experience integrating the teacher candidates' knowledge, skills and dispositions in professional practice. This experience shall be fully supported by institutional faculty, including frequent observation, consultation with supervising teachers and opportunities for formative and summative evaluation. **Minimum numbers of pre-culminating field experience hours shall be determined by the Secretary in consultation with the Board. Requirements for culminating field experiences, including length of culminating field experiences beyond the minimum required in § 354.25.(f), shall be determined by the Secretary in consultation with the Board. Additional requirements for supervising teachers, beyond the minimum required in § 354.25.(f).(2), shall be determined by the Secretary in consultation with the Board. Requirements for supervising teachers in fields that are customarily staffed at one per building or at similarly low levels not addressed in § 354.25 shall be determined by the Secretary in consultation with the Board.**

(ix) Institutions **and alternative program providers** provide ongoing support for novice educators in partnership with local education agencies during their induction period, including observation, consultation and assessment.

(x) Institutions **[provide] and alternative program providers supply** evidence that an acceptable percentage of candidates applying for certification as determined by the Secretary and **approved by the** Board achieve at a satisfactory level on all assessments appropriate to initial certification in each program for which they are approved.

(5) Institutions **and alternative program providers** may enter into articulation agreements with community colleges that permit students to earn credits toward meeting the requirements of this chapter.

(6) Institutions will comply with requirements set forth in the federal Elementary and Secondary Education Act and the federal Higher Education Act.

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

§ 49.15. Approval of experimental programs.

The Department may enter into a written agreement with a preparing institution or alternative program provider wishing to conduct an experimental program. The institution and alternative program provider shall meet the requirements described in § 49.13 (relating to policies) and § 49.14 (relating to approval of institutions). Certification shall be given to graduates of an experimental program upon recommendation by the institution or alternative program provider if the ~~[institution]~~ provider has met all of the following requirements:

- (1) Submitted a detailed explanation of the experimental program to the Department for approval.
- (2) Planned a thorough procedure conforming to accepted canons of educational research for evaluating results of the experimental program. These results shall be reported to the Department in accordance with a schedule approved at the time of the agreement.
- (3) Agreed to terminate the experimental program upon request by the Department when it is judged by a program approval team to be inadequate for preparation of professional personnel.

§ 49.16. Approval of induction plans.

(a) Each school entity shall submit to the Department for approval a plan for **[the] a two-year** induction experience for first-year teachers (including teachers in prekindergarten programs, when offered), long-term substitutes who are hired for a position for 45 days or more and educational specialists. The induction plan shall be submitted every 6 years as required under § 4.13(b) (relating to strategic plans). The induction plan shall be prepared by teacher or educational specialist representatives, or both, chosen by teachers and educational specialists and administrative representatives chosen by the administrative personnel of the school entity. Newly employed professional personnel with prior school teaching experience may be required by the school entity to participate in an induction program. A school entity shall make its induction plan available for public inspection and comment for a minimum of 28 days prior to approval of the plan by the school entity's governing board and submission of the plan to the Department.

(b) The Department will establish guidelines and will review for approval induction plans submitted by school entities.

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

(c) Induction plan guidelines shall include professional ethics, cognitive competencies, and culturally relevant and sustaining education as determined by the Secretary.

[(c)] **(d)** The induction plan shall reflect a mentor relationship between the first-year teacher, long-term substitute or educational specialist, teacher educator and the induction team.

[(d)] **(e)** Criteria for approval of the induction plans will be established by the Secretary in consultation with the Board and must include induction activities that focus on teaching diverse learners in inclusive settings.

§ 49.17. Continuing professional education.

(a) As required under § 4.13(a) (relating to strategic plans), a school entity shall submit to the Secretary for approval a 3-year professional education plan every 3 years in accordance with the professional education guidelines established by the Secretary and section 1205.1 of the act (24 P.S. § 12-1205.1). A school entity shall make its professional education plan available for public inspection and comment for a minimum of 28 days prior to approval of the plan by the school entity's governing board and submission of the plan to the Secretary.

(6) The continuing professional education plan must include a section which describes how the professional education needs of the school entity, including those of diverse learners, and its professional employees are to be met through implementation of the plan. The plan must describe how professional development activities will improve language and literacy acquisition for all students, **including the provision of training in structured literacy for professional employees at the elementary level.** [and] **The plan also must** contribute to closing achievement gaps among students, **and improve professional employees knowledge of professional ethics and culturally relevant and sustaining education.**

(b) A commissioned officer who [obtains] **holds** a Letter of Eligibility for Superintendent [shall present to the Secretary evidence of satisfactory completion of 6 credit hours of continuing professional education courses] **shall satisfy the requirements for continuing professional education through the completion of courses and credits approved by the Department to address the school leadership standards of section 1217 in accordance with section 1205.5** every 5 years. [This subsection will be satisfied by taking collegiate studies or Department-approved in-service courses or a combination thereof.]

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(c) **[Professional]** Certified personnel **including school or system leaders defined in section 1205.5(g)** who fail to comply with the continuing professional education plan under subsection (a) or fail to complete the requirements of sections 1205.1 **[and]**, 1205.2, **and 1205.5** of the act will have their certificates or **[commissions]** Letter of Eligibility rendered inactive by the Department until the requirement is met. **[Professional]** Certified personnel and **school or system leaders** whose certificate or **[commission]** Letter of Eligibility is rendered inactive shall have a right to appeal the action to the Secretary.

(d) School districts that employ **[professional]** certified personnel or commissioned officers with inactive certificates or commissions are subject to penalties provided for under section 2518 of the act (24 P.S. § 25-2518).

§ 49.18. Assessment.

- (a) The Secretary will **[institute an assessment program]** establish assessments for candidates for certification designed to assess their basic skills; professional knowledge and practice; and subject matter knowledge. Candidates for elementary, K-12 instructional, special education and early childhood certificates shall also be assessed in the area of general knowledge. The following principles will guide the Secretary in the development of **[an]** any assessment **[program]**:
- (1) **[The assessment program]** Assessments will be based in the standards developed for each certificate.
 - (2) **[The assessment program]** Assessments will measure the candidate's abilities across the domains of basic skills knowledge, professional knowledge and practice, and subject matter knowledge employing a variety of measures at a minimum of three points:
 - (i) During the candidate's preparation program.
 - (ii) Upon application for initial certification.
 - (iii) Upon application for Level II, supervisory or administrative certification.
 - (3) **[The assessment program]** Assessments will be developed in consultation with teachers, administrators, teacher educators and educational specialists with relevant certification.

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(4) **[The assessment program] Assessments** will employ, when appropriate, available assessment tools, instruments and procedures.

(b) The Secretary, in consultation with the Board, will establish a satisfactory achievement level for **[the] any** assessments in subsection (a).

(c) The assessments in basic skills **will be given, and satisfactory achievement levels shall be reached, prior to formal entry into a certification preparation program in accordance with 24 P.S. § 12-1207.3).** **The assessments in** [and] general knowledge; professional knowledge and practice; and subject matter knowledge will be given, and satisfactory achievement levels shall be **[reached] obtained,** prior to the issuance of a certificate. **Candidates who will complete all certification requirements at the post-baccalaureate level are not required to take and pass assessments in basic skills (24 P.S. § 12-1207.3).**

(d) A periodic review of the **[assessment program] assessments** will be made by the Board every **[3] 5** years.

(e) The Department may issue additional subject areas to holders of Instructional (see § § 49.82 and 49.83 relating to Instructional I; and Instructional II) or Intern (see § 49.91 (relating to criteria for eligibility)) certification **in related subject areas and** who pass the appropriate subject matter testing components **[in areas other than Health and Physical Education, Cooperative Education and all].** **All** Special Education areas **are excluded.** The Department may identify other certification areas to be excluded from eligibility based on criteria established by the Secretary **[and approved by] in consultation with** the Board.

EMERGENCY, LONG-TERM AND DAY-TO-DAY SUBSTITUTE PERMITS

§ 49.31. Criteria for eligibility.

The Department may issue an emergency, Long-Term or Day-to-Day Substitute Permit for service in the public schools, **[at the request of the employing public school entity] an approved private school or an eligible provider setting as defined in Title 22, Chapter 405.2, at the request of the employing entity,** to an applicant who is a graduate of a 4-year college or university to fill a vacant position or to serve as a long-term or day-to-day substitute teacher, when a fully qualified and properly certificated applicant is not available. The permit is issued on the basis of terms and conditions agreed upon between the requesting public school

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entity and the Department. Each July, the Department will report to the Board the number and nature of emergency, Long-Term and Day-to-Day Substitute Permits issued during that year. A long-term substitute permit may be issued only after the position has been posted a minimum of 10 days on the school entity's website and no qualified candidate has been identified.

MISCELLANEOUS PROVISIONS

§ 49.64a. Authority to annul and reinstate certificates and discipline professional educators.

(a) A professional certificate or letter of eligibility obtained by fraud or mistake shall be considered void "ab initio" and shall be annulled by the Secretary. An annulment will not be effected without prior notice and hearing in accordance with reasonable procedures as the Secretary will prescribe, after review of and comment on the procedures by the Board.

(b) In accordance with the authority vested with the PSPC by the **[Professional]** Educator Discipline Act, the Commission may discipline professional educators.

§ 49.65. Out-of-State and Nationally-certified applicants.

(a) The Department will issue the appropriate Commonwealth certificate to applicants who have:

(1) Graduated from a State approved out-of-State college or university whose **[teacher education] educator preparation** requirements are comparable to those of this Commonwealth.

(2) Completed the preparing institution's **preparation [teacher education]** program.

(3) Received the recommendation of the preparing institution for the **[subject or area to be taught] out-of-State certificate issued**.

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

(4) Presented evidence of satisfactory achievement in assessments prescribed by the Department under § 49.18(a) (relating to assessment) and the requirements of Chapter 354 (relating to teacher preparation).

(b) The Department may enter into a reciprocal certification agreement with the appropriate authority of another state to recognize comparable certificates. A temporary teaching permit may be issued to educators prepared outside of this Commonwealth in accordance with the current reciprocity agreement with other states. It will be valid for 1 year to allow the teacher to meet the Commonwealth's requirements as outlined in the reciprocity agreement.

(c) Candidates certified by the National Board for Professional Teaching Standards will be granted the highest level certificate applicable.

(d) School psychologists certified by the National Association of School Psychologists will be granted the highest level certificate available for certification as a school psychologist.

[(d)] **(e)** Candidates successfully completing other National teacher training programs that require a candidate to demonstrate mastery of the **[subject] certification** area to be taught and professional knowledge needed for classroom effectiveness as approved by the Board, will be certified to teach in this Commonwealth, provided the approved program includes 1 year of intensive supervision in an internship program approved by the Secretary and the teacher has satisfied the basic certification requirements of the act (see 24 P. S. § § 12-1202 and 12-1209), such as having good moral character, being at least 18 years old and having a **[bachelor's] baccalaureate** degree.

[(e)] **(f)** Candidates holding a valid and current instructional, **educational specialist, supervisory, or administrative** certificate issued by **[one of the states party to the Interstate Certification Agreement with Pennsylvania] another state** may be eligible for **comparable** certification if **[they have taught on the out-of-State certificate for 3 of the past 7 years] the applicant has two years of successful classroom or school experience in the area for which Pennsylvania certification is sought** and **[have] has** achieved the qualifying score on the appropriate content area test required by the Commonwealth, **[and meet the requirements of § 49.12 (relating to eligibility). The out-of-State certificate must be comparable to the grade level and scope of the Pennsylvania certificate being requested, and the test must have been taken within 5 years of the date of application for the Pennsylvania certificate. In those cases, no other tests will be required.]**

§ 49.68. Evaluation of prescribed requirements and standards.

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

Institutions of higher education within this Commonwealth with approved [**teacher education**] **educator preparation** programs are authorized to evaluate, equate, and accredit educational experience and background of candidates for meeting the specific requirements for certification. A candidate may not be recommended for certification until providing evidence of satisfactory achievement in the assessments under § 49.18 (relating to assessment).

Subchapter B. CERTIFICATION OF GRADUATES FROM COMMONWEALTH INSTITUTIONS

GENERAL PROVISIONS

§ 49.71. Basic requirements.

Applicants for a certificate shall have completed, in addition to all legal requirements, a program of [**teacher education**] **educator preparation** approved by the Department and shall have the recommendation of the preparing institution.

§ 49.72. Categories of certificates and letters of eligibility.

(a) The following basic categories of certificates and letters of eligibility will be issued by the Department:

- (1) Temporary Permit.
- (2) Emergency and Substitute Permits.
- (3) Intern Certificates.
- (4) Instructional Certificates.
- (5) Educational Specialist Certificates.
- (6) Supervisory Certificate.

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

- (7) Administrative Certificate.
- (8) Program Specialist Certificate.
- (9) Letters of Eligibility.
- (10) **[Vocational] Career and Technical** Education Certificates.
- (11) Exceptional Case Permits.
- (12) Resource Specialist Permits.

(b) The Secretary annually will disseminate an approved list of official titles of all certificates and letters of eligibility which the Department has issued during the past fiscal year or proposes to issue in the ensuing year.

INSTRUCTIONAL CERTIFICATES

§ 49.82. Instructional I.

(a) The Instructional I Certificate is valid for 6 years of teaching in public schools **or in eligible provider settings (as defined in Chapter 405.2)** in this Commonwealth in the area for which it applies. It may be converted to an Instructional II Certificate as provided by § 49.83 (relating to Instructional II).

(b) The Instructional I Certificate will be issued to applicants who:

- (1) Possess a baccalaureate degree.
- (2) Present evidence of successful completion of a Department-approved teacher preparation program.
- (3) Present evidence of satisfactory achievement in assessments prescribed by the Department under § 49.18(a) (relating to assessment).

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(4) Receive recommendation for certification from [a] **the preparing** college or university **or alternative program provider.**

§ 49.83. Instructional II.

The Instructional II Certificate will be issued to an applicant who has completed:

- (1) A Department-approved **two-year** induction program.

§ 49.84. Collegiate credit acceptable for conversion of the Instructional I Certificate.

(a) College credit acceptable for conversion to the Instructional II Certificate shall be earned at a State-approved **associate degree-granting institution,** baccalaureate or graduate degree granting institution.

(b) Credits earned in programs designed to prepare for professional fields such as law, medicine or theology, when relevant to the area of certification, will be considered acceptable for purposes of renewing or converting the Instructional I Certificate.

(c) Credits shall be earned subsequent to the conferring of the baccalaureate degree. **Graduate credits earned prior to obtaining the Instructional I certificate are considered acceptable for purposes of converting the Instructional I Certificate.**

§ 49.85. Limitations.

(c) Instructional certificates issued beginning January 1, 2013, through December 31, 2021, remain valid for the term of the certificate for the grade spans and age levels outlined in item (b) paragraphs (1)—(7). For instructional certificates issued on or after January 1, 2022, the grade level limitations shall be the following:

- (1) Grade level limitations as presented in (b)(1)-(4).**

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(2) Special Education PK-12 (prekindergarten through grade 12 or age 21). Applicants for this certificate are not required to obtain any additional certificates.

(3) Special Education Hearing Impaired, Visually Impaired and Speech/Language Impaired Certificates (prekindergarten, kindergarten, grades one through twelve or ages 3 through 21).

[(c)] **(d)** The decision about staffing based on age or grade level rests with the school entity.

[(d)] **(e)** The Secretary may grant exceptions to the grade and age level limitations between Early Childhood (subsection (b)(1)), Elementary/Middle (subsection (b)(2)), Special Education-PK—8 (subsection (b)(5)) and Special Education-7—12 (subsection (b)(6)) for individual teachers on a case-by-case basis. The school entity shall submit a written request to the Secretary that provides justification for the exception. The Secretary will set a time limit for each individual exception granted. The Secretary will issue guidelines that outline the circumstances under which exceptions will be granted.

[(e)] **(f)** When a school district contracts with a community provider for the provision of prekindergarten services, prekindergarten teachers providing the services shall possess a certificate in early childhood as provided in subsection (a)(1) or subsection (b)(1) within the following time frame:

- (1) For contracts in place prior to September 22, 2007, September 24, 2012.
- (2) For **[new]** **first-time** contracts, 5 years from the start of services.

[(f)] **(g)** The Secretary may grant exceptions in response to shortages of certified personnel that apply Statewide to specific provisions of this section when it is necessary to facilitate transition to the revised provisions scheduled to become effective on January 1, **[2013]** **2022**. Exceptions may be granted under the following conditions:

- (1) The Secretary will provide a written certification to the Board that includes relevant information and justification of the need for the exception. If the Board does not disapprove the exception within 90 days of receipt of the certification, the exception will stand approved.
- (2) The exception will be valid for a limited term not to exceed 3 years.
- (3) The Secretary will report annually to the Board on the nature and status of exceptions made under this section.

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

§ 49.86. Accelerated program for Early Childhood and Elementary/Middle level certificate holders.

TEMPORARY TEACHING PERMITS

§ 49.90. Criteria for eligibility.

(a) The Department may make a one-time issuance of a Temporary Teaching Permit for service in a specific area of instruction for use in elementary, middle or secondary schools to applicants who, in addition to meeting the requirements of § 49.12 (relating to eligibility), **[present evidence of one of the following:**

(1) For candidates prepared outside of this Commonwealth, met all requirements for an Instructional I certificate, with the exception of the Math/English course requirements under Chapter 354 (relating to preparation of professional educators).

(2) For candidates holding] hold a credential issued by a Board-approved National alternative certification program[,] **and** completed any ancillary requirements agreed upon by the Department and the credentialing authority.

(b) The Temporary Teaching Permit will be valid for 1 calendar year from the date of issuance.

(c) The Department will issue an Instructional I certificate when the prescribed courses or ancillary requirements are satisfied.

INTERN CERTIFICATES

§ 49.91. Criteria for eligibility.

(c) Intern certificate programs must provide flexible and accelerated pedagogical training to teachers who have demonstrated competency in a **[subject]** certification area, provided that the

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

first year of teaching includes a minimum of one classroom observation each month by an approved college/university in this Commonwealth.

(d) An Intern Certificate is valid for 3 **[calendar]** years **of service**. This professional certificate may be issued only to an applicant who is a graduate of an accredited 4-year college or university. During the first year, the applicant shall complete all tests, enroll in an authorized program and complete a minimum of nine credits per year. The certificate requires continuing enrollment in a State-approved teacher intern program. This certificate cannot be renewed.

§ 49.92. Term of validity.

The Intern Certificate will be issued for the period of time necessary for the candidate to complete the approved intern program, but this time period will not exceed 3 years **of service**.

EDUCATIONAL SPECIALIST CERTIFICATES

§ 49.104. College credit acceptable for conversion of Educational Specialist I Certificate.

(c) Credits shall be earned subsequent to the conferring of the baccalaureate degree. **Graduate credits earned prior to obtaining the Educational Specialist I certificate are considered acceptable for purposes of converting the Educational Specialist I Certificate.**

SUPERVISORY CERTIFICATES

§ 49.111. Supervisory Certificate.

(a) The Department will issue Supervisory Certificates for positions in the schools of this Commonwealth to persons who:

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

- (1) Have completed 5 years of satisfactory [**professional**] certified experience in the area in which the supervisory certificate is sought.
- (2) Have completed an approved graduate program preparing the applicant for the responsibilities of supervising in the program area and of directing the activities of certified professional employees.
- (3) Present evidence of satisfactory achievement in assessments prescribed by the Department under § 49.18(a) (relating to assessment).
- (4) Are able to help students achieve under Chapter 4 (relating to academic standards and assessment).
- (5) Meet the following standards:
 - (i) The supervisor understands the central concepts of organizational leadership, tools of research and inquiry and principles of teaching and learning that make supervision effective and efficient.
 - (ii) The supervisor understands how all children learn and develop and configures resources to support the intellectual, social and personal growth of all students.
 - (iii) The supervisor knows and understands effective instructional strategies and encourages and facilitates employment of them by teachers.
 - (iv) The supervisor uses an understanding of individual and group motivation to create a professional development environment that engages teachers to develop and apply effective instructional techniques for all students.
 - (v) The supervisor is an effective communicator with various school communities.
 - (vi) The supervisor organizes resources and manages programs effectively.
 - (vii) The supervisor understands and uses formative and summative assessment strategies to gauge effectiveness of people and programs on student learning.
 - (viii) The supervisor understands the process of curriculum development, implementation and evaluation and uses this understanding to develop high quality curricula for student learning in collaboration with teachers, administrators, parents and community members.

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

(ix) The supervisor possesses knowledge and skills in observation of instruction and conducting conferences with professional staff that are intended to improve their performance and enhance the quality of learning experiences for all students.

(x) The supervisor thinks systematically about practice, learns from experience, seeks the advice of others, draws upon educational research and scholarship and actively seeks out opportunities to grow professionally.

(xi) The supervisor contributes to school effectiveness by collaborating with other professionals and parents, by using community resources, and by working as an advocate to improve opportunities for student learning.

(b) Notwithstanding the requirements of paragraph (a), and excluding Special Education Supervisory Certification, the Department may issue additional Supervisory Certificate areas to individuals who already hold a valid Pennsylvania Supervisory Certificate if they demonstrate competency in the requested supervisory area by one of the following:

(1) complete 12 Department-approved credits of collegiate study in the supervisory area sought, or

(2) achieve a passing score on the applicable content test.

(c) For Supervisory Certificates issued pursuant to paragraph (b), 5 years of service in the area is not required.

[(b)] **(d)** A Supervisory Certificate for either Curriculum and Instruction or Pupil Personnel Services will be issued to persons who:

(1) Have 5 years of satisfactory professional certified service in the school program area for which the comprehensive certificate is sought.

(2) Have completed an approved graduate program preparing the applicant for the broad area, districtwide supervisory functions specified by the endorsement area of the certificate.

(3) Present evidence of satisfactory achievement in assessments prescribed by the Department under § 49.18(a).

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

(e) Notwithstanding the requirements of paragraph (a), the Department may issue a Special Education Supervisory Certification to individuals who have completed five years of satisfactory certified experience as a school psychologist.

ADMINISTRATIVE CERTIFICATES

§ 49.121. Administrative Certificate.

(a) The Department will issue Administrative Certificates to persons who have [had] a minimum of [5] **3** years of satisfactory [professional certified school] **instructional or student support experience completed in a public or private PK-12 school or accredited institution of higher education and have completed an approved program of graduate study, approved alternative program, or completed the alternative route in accordance with 24 P.S. 1207.1(d)** preparing the applicant to direct, operate, supervise and administer the organizational and general educational activities of a school. Applicants shall be recommended by the preparing institution **or alternative program provider** in which the [graduate] program was completed. Candidates for administrative certificates shall be able to help students achieve under Chapter 4 (relating to academic standards and assessment).

Subchapter C. ~~[VOCATIONAL]~~ **CAREER AND TECHNICAL EDUCATION CERTIFICATION**

GENERAL PROVISIONS

~~[VOCATIONAL]~~ **CAREER AND TECHNICAL INSTRUCTIONAL CERTIFICATES**

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

[VOCATIONAL] CAREER AND TECHNICAL INTERN CERTIFICATES

49.153. [Vocational] Career and Technical Day-to-Day Substitute Permit.

SUPERVISOR OF [VOCATIONAL] CAREER AND TECHNICAL EDUCATION CERTIFICATE

49.161. Supervisor of [Vocational] Career and Technical Education.

49.162. [Reserved].

[VOCATIONAL] CAREER AND TECHNICAL ADMINISTRATIVE DIRECTOR CERTIFICATE

49.163. [Vocational] Career and Technical Administrative Director.

49.164. [Reserved].

GENERAL PROVISIONS

§ 49.131. Basic requirements for baccalaureate and nonbaccalaureate programs.

(a) Applicants for a certificate shall have completed, in addition to all legal requirements, a program of [**teacher education**] educator preparation approved by the Department and shall have received the recommendation of the preparing institutions or alternative program provider.

§ 49.132. Types of certificates.

Five basic types of certificates will be issued, as follows:

- (1) [Vocational] Career and Technical Instructional Intern.

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

- (2) [**Vocational**] **Career and Technical** Instructional.
- (3) Supervisor of [**Vocational**] **Career and Technical** Education.
- (4) [**Vocational**] **Career and Technical** Administrative Director.
- (5) **Vocational Career and Technical** Substitute Permits.

§ 49.133. Levels of certification.

[**Vocational**] **Career and Technical** Instructional Certificates shall be issued for the following levels of qualifications:

- (1) Level I (Provisional).
- (2) Level II (Permanent).

[**VOCATIONAL**] **CAREER AND TECHNICAL** INSTRUCTIONAL CERTIFICATES

§ 49.141. General.

(a) The Department will issue [**Vocational**] **Career and Technical** Instructional Certificates to persons whose primary responsibility is teaching occupational skills in State approved [**vocational**] **career and technical** education programs in the public schools of this Commonwealth. The certificates will be valid for teaching in any [**vocational**] **career and technical** or technical area for which the holder has registered his occupational competency credential with the Department in the manner prescribed by the Department.

(b) The holder of a [**Vocational**] **Career and Technical** Teaching Certificate may also teach the technical skills and knowledge of the holder's occupation in courses of comparable content provided in secondary school programs which have not been accorded State approval as [**vocational**] **career and technical** education programs under conditions in the policies and standards of the Department. Candidates for [**Vocational**] **Career and Technical** Teaching Certificates shall be able to help students achieve under Chapter 4 (relating to academic standards and assessment).

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

§ 49.142. [Vocational] Career and Technical Instructional I.

(a) A single certificate will be issued and titled, “[**Vocational**] **Career and Technical** Instructional Certificate.” Individuals qualifying for this certificate shall be authorized to teach in the areas for which they also hold an occupational competency credential. The occupational competency credential will be issued by the Department or an institution of higher education approved by the Secretary. The applicant shall have:

(1) A minimum of [**2 years**] **8,000 hours (equivalent to 4 years full-time)** wage-earning experience [**in addition to the learning period required to establish competency in the occupation to be taught**] **in the occupational area to be taught or 4,000 hours (equivalent to 2 years) wage-earning experience plus a baccalaureate degree.**

(2) Successfully completed the occupational competency examination or evaluation of credentials for occupations where examinations do not exist or present evidence of satisfactory achievement on an assessment of subject matter under § 49.18 (relating to assessment).

(3) Completed 18 credit hours in an approved program of [**vocational**] **career and technical** [**teacher education**] **educator preparation.** For [**Vocational**] **Career and Technical I** Certificates issued on or after January 1, 2013, the 18 credit hours must include at least 3 credits or 90 hours, or equivalent combination thereof, regarding accommodations and adaptations for diverse learners in an inclusive setting. For purposes of this requirement, 1 credit equals 30 hours of coursework. Applicable hours are limited to a combination of seat hours of classroom instruction, field observation experiences, major research assignments, and development and implementation of lesson plans with accommodations and adaptations for diverse learners in an inclusive setting.

(4) Presented evidence of satisfactory achievement on the assessment of basic skills under § 49.18.

(b) The [**Vocational**] **Career and Technical** Instructional I Certificate shall be valid for [**6**] **8** years during which time the applicant shall complete the approved preparation program leading to the [**Vocational**] **Career and Technical Instructional II Certificate.**

§ 49.143. [Vocational] Career and Technical Instructional II.

The [**Vocational**] **Career and Technical** Instructional II Certificate shall be a permanent certificate issued to an applicant who has:

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

(1) Completed 3 years of satisfactory teaching on a [**Vocational**] **Career and Technical** Instructional I Certificate attested to by the chief school administrator of the approved public or nonpublic school entity in which the most recent service of the applicant was performed.

(2) Completed [**60 credit hours**] **an additional 42 credit hours** including at least 6 credits or 180 hours, or an equivalent combination thereof, regarding accommodations and adaptations for students with disabilities in an inclusive setting and at least 3 credits or 90 hours, or an equivalent combination thereof, in teaching English language learners, in an approved program in the appropriate field of [**vocational**] **career and technical** education. For purposes of this requirement, 1 credit equals 30 hours of coursework. Applicable hours are limited to a combination of seat hours of classroom instruction, field observation experiences, major research assignments, and development and implementation of lesson plans with accommodations and adaptations for diverse learners in an inclusive setting.

(3) Presented evidence of satisfactory achievement in assessments [**of general knowledge and of professional knowledge and practice**] under § 49.18(**a**) (relating to assessment).

(4) Completed a Department-approved **two-year** induction program.

[VOCATIONAL] CAREER AND TECHNICAL INTERN CERTIFICATES

§ 49.151. Eligibility and criteria.

(a) The Department will issue [**Vocational**] **Career and Technical** Intern Certificates for teaching in State approved programs of [**vocational**] **career and technical** education in the public schools of this Commonwealth to applicants who have:

(1) Met all eligibility requirements stipulated in § 49.12 (relating to eligibility) except for the baccalaureate degree requirement in § 49.12(4).

(2) Provided evidence of satisfactory achievement in assessments of subject matter under § 49.18 (relating to assessment) or satisfactory occupational competency by one of the following:

(i) Successfully completing the occupational competency examination of the Department.

(ii) Securing recognition of occupational competency upon the basis of credentials review and adequate work experience beyond the learning period as established by the Department in those competency areas where occupational competency examinations do not exist.

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(iii) Receiving State licensure or occupational accreditation by a Board of Examiners recognized by the Commonwealth.

(iv) Receiving certification from another state whose certification criteria are similar to those of this Commonwealth.

(3) Been accepted for enrollment in a State approved [**vocational**] **career and technical** [**teacher**] **educator** preparation program at a Commonwealth college or university.

(4) Been recommended for the certificate by the institution at which they are enrolled or accepted.

(b) The applicant shall be issued a [**Vocational**] **Career and Technical** Instructional I Certificate upon presenting evidence of [**2 years**] **8,000 hours (equivalent to four years full-time)** wage-earning experience **in the occupational area to be taught** [, **completion of an approved intern program,**] and satisfactory achievement on the assessment of basic skills.

(c) The certificate requires continued enrollment in a State-approved teacher intern program.

§ 49.152. Term of validity.

The [**Vocational**] **Career and Technical** Instructional Intern Certificate shall be issued for the period of time needed by the applicant to complete 18 semester hours within the approved [**vocational**] **career and technical** [**teacher**] **educator** preparation program, but in no case shall the validity period exceed 3 years from the date of issuance.

§ 49.153. [Vocational**] **Career and Technical** Day-to-Day Substitute Permit.**

(a) The chief school administrator or [**vocational**] **career and technical** school administrative director having jurisdiction over any approved [**Vocational**] **Career and Technical** Education program is authorized to issue a special Day-to-Day Substitute Permit to an occupational practitioner when no properly certified teachers are available. The teacher shall function under the supervision of a properly certified supervisor or administrator. Assignments as described in this section shall be made only in case of an emergency and may not exceed 20-consecutive school days. This permit will be valid for 20 days of substitute service and may be renewed for an additional 20 school days upon the approval of the Secretary.

(b) This permit does not qualify the holder to serve as a regularly employed teacher to fill a vacant position or as a long-term substitute. These positions shall be filled by a person holding a

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

valid **[Vocational] Career and Technical** Instructional or a State issued Long-term or Day-to-Day Substitute Permit. [Reference should be made to § 49.32 (relating to Exceptional Case Permits).]

SUPERVISOR OF [VOCATIONAL] CAREER AND TECHNICAL EDUCATION CERTIFICATE

§ 49.161. Supervisor of [Vocational] Career and Technical Education.

(a) The Department will issue a Supervisor of **[Vocational] Career and Technical** Education Certificate to a person who has a minimum of 3 years satisfactory certified **[vocational] career and technical** teaching experience and whose primary assignment will be one or more of the following:

(1) Instructional supervision in the fields of **[vocational] career and technical** education—**[vocational] career and technical** agriculture, **[vocational] career and technical** business, distributive education, health occupations, **[vocational] career and technical** home economics, and **[vocational] career and technical** industrial, or trade and industrial—in area **[vocational] career and technical** schools and corresponding **[vocational] career and technical** courses in the public secondary schools of this Commonwealth.

(2) Directing the activities of professional staff teaching in the program areas specified in paragraph (1).

(b) The Department will issue a Supervisor of **[Vocational] Career and Technical** Education Certificate to a person who shall meet the requirements of § 49.111(a)(3)—(5) (relating to Supervisory Certificate).

[VOCATIONAL] CAREER AND TECHNICAL ADMINISTRATIVE DIRECTOR CERTIFICATE

§ 49.163. [Vocational] Career and Technical Administrative Director.

The Department will issue the **[Vocational] Career and Technical** Administrative Director Certificate to persons who:

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Proposed amendments as adopted by the State Board of Education on July 8, 2020

(1) Have a minimum of [5] **3** years [**successful teaching in vocational education**] **of relevant professional experience in a Career and Technical Education School.**

(2) Have completed an approved program of graduate study following standards listed in **§ 49.111(a) and** § 49.121(d) (relating to Administrative Certificate) **or an approved alternative program pursuant to 24 P.S. § 12-1207.1** preparing them to direct, operate, supervise, and administer the organizational and educational activities of a [**vocational technical**] **career and technical** school or department; applicants shall be recommended by the preparing institution in which the graduate program was completed.

(3) Present evidence of satisfactory achievement on assessments prescribed by the Department under § 49.18(a) (relating to assessment).

Subchapter D. OUT-OF-STATE APPLICANTS

§ 49.172. Letter of eligibility.

(a) The Department will issue the appropriate letter of eligibility for consideration for appointment as a district superintendent or an assistant district superintendent to an applicant who:

(1) Has completed a Pennsylvania approved graduate level program of educational administrative study for the preparation of chief school administrators or been prepared through an out-of-State graduate level program equivalent to those approved in this Commonwealth.

(2) Has received the recommendation of the preparing institution for certification as a chief school, district level, administrator.

(3) Has provided evidence of 6 years of [**certified**] **satisfactory educational or student support** service in [**the basic**] **private or public** K-12 schools **or an accredited institution of higher education** [**and, for the superintendent's letter, including**] **of which** at least 3 years [**of satisfactory certified**] **must be service in** supervisory or administrative positions.

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Subchapter E. COMMISSIONS AND CERTIFICATES FOR INTERMEDIATE UNITS

§ 49.182. Letter of eligibility.

(d) When an Intermediate Unit Board of Directors finds it impossible or impractical to fill immediately a vacancy occurring in the position of intermediate unit executive director or assistant intermediate unit executive director, the board may appoint an acting intermediate unit executive director or an acting intermediate unit executive director who does not meet the requirements of paragraph (a) to serve no more than one year from the time of the appointment as acting intermediate unit executive director or acting assistant intermediate unit executive director.

Subchapter F. LETTERS OF EQUIVALENCY FOR PAY PURPOSES

§ 49.191. Letters of Equivalency.

A Letter of Equivalency will be issued for salary purposes only, subject to the following terms and conditions:

(1) The Letter of Equivalency for Baccalaureate Degree is issued to holders of [**Vocational Career and Technical**] Instructional I, [**Vocational Career and Technical**] Instructional II or their equivalents upon the accumulation of 90 college credits. A minimum of 18 credit hours [**of the final 30**] shall be earned at a State-approved baccalaureate degree granting institution. [**The remaining 12**] Twelve of the final 30 credit hours may be satisfied, in full or in part, through in-service programs approved by the Secretary for meeting baccalaureate equivalency requirements.

(2) The Letter of Equivalency for Master's Degree is issued to persons holding a valid Instructional I, Instructional II, Educational Specialist I, Educational Specialist II certificate, [**Vocational Career and Technical**] Instructional I, [**Vocational Career and Technical**]

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Instructional II certificate, or their equivalents, upon the accumulation of 36 hours of graduate level credit. A minimum of 18 academic graduate credits shall be earned in the content area of the applicant's **[primary teaching assignment]** certification area(s) at a college or university approved to offer graduate work. A maximum of 18 of the credit requirement may be satisfied through in-service programs approved by the Secretary for meeting master's equivalency requirements.

(3) A grade of "C" or better is required in college and university courses in which grades are given and a letter of satisfactory completion is required for all in-service courses used toward the attainment of the certificate.

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