

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 300 Session of 2023

INTRODUCED BY HUGHES, AUMENT, SANTARSIERO, BROWN, HAYWOOD, BARTOLOTTA, FONTANA, DILLON, MILLER, BAKER, COMITTA, COSTA, SCHWANK, CAPPELLETTI, COLLETT, BREWSTER, KANE AND FARRY, MAY 17, 2023

REFERRED TO EDUCATION, MAY 17, 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
 20 real time an employe vacancy. The department shall determine

1 information to be required as part of a posting.

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

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

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

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

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

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

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

19 "Employe." The following:

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

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

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

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

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

29 Section 131. Instructional Vacancy Data.--(a) The
30 department shall require a school entity to submit certain

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

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

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

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

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

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

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

27 Section 132. Data Transparency.--(a) To the extent that
28 funding is made available, no later than December 31 of each
29 year, the department shall post on its publicly accessible
30 Internet website data related to the educator workforce in this

1 Commonwealth that allows members of the public to view,
2 disaggregate and manipulate the following data if collected by
3 the department:

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

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

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

17 (i) Complete the program.

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

20 (iii) Receive certification.

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

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

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

29 (b) The department may contract with an outside organization
30 to meet the requirements of this section.

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

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

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

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

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

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

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

29 ARTICLE XII-B
30 EDUCATOR PIPELINE SUPPORT GRANT PROGRAM

1 Section 1201-B. Scope of article.

2 This article relates to educator workforce.

3 Section 1202-B. Definitions.

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

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

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

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

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

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

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

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

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

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

30 "Program." The Educator Pipeline Support Grant Program

1 established under section 1203-B.

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

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

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

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

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

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

26 (d) (Reserved).

27 (e) Grant amount.--

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

30 (2) A payment received by an individual under this

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

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

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

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

18 (g) Funding.--

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

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

29 (h) Additional duties.--When the agency awards a grant to a
30 student teacher under this article, the agency shall also award

1 a grant payment to the student teacher's cooperating teacher.
2 The cooperating teacher shall receive a minimum grant of \$1,000.
3 The agency may reduce the grant award amount to a cooperating
4 teacher if the cooperating teacher receives compensation from an
5 institution of higher education for serving as a cooperating
6 teacher. An institution of higher education may not charge a
7 student teacher for the cost of paying a cooperating teacher.

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

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

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

27 Section 1204-B. Eligibility.

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

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

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

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

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

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

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

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

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

24 Section 1205-B. Report.

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

1 (1) The number of applicants.

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

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

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

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

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

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

14 (8) Any other information the agency determines.

15 (b) Coordination.--The department and the Department of
16 Labor and Industry shall assist the agency by providing
17 necessary data to determine outcomes related to the program.
18 Section 1206-B. Data collection.

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

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

30 (2) Each approved educator preparation program shall

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

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

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

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

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

22 (b) (Reserved).

23 Section 1207-B. Miscellaneous provisions.

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

1 participate in the class or seminar by virtual means.

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

7 Section 3. This act shall take effect immediately.