

PROPOSED RULEMAKING

STATE BOARD OF EDUCATION

[22 PA. CODE CH. 49] Certification of Professional Personnel

The State Board of Education (Board) proposes to amend Chapter 49 (relating to certification of professional personnel), to read as set forth in Annex A, under authority of Article XII and sections 1109, 1141, 2603-B and 2604-B of the Public School Code of 1949 (Code) (24 P. S. §§ 12-1201—12-1268, 11-1109, 11-1141, 26-2603-B and 26-2604-B).

Purpose

Chapter 49 sets forth the basic rules for teacher preparation, certification and continuing professional development in this Commonwealth. Proposed changes are necessary to strengthen teacher education programs and support to novice teachers; to expand the assessment program to include performance and to provide for additional assessments; to ensure that certificate and commission holders are current in their professional field; and to provide a structure of professional education, certification and continuing professional development which supports the Commonwealth's curriculum requirements. These proposed amendments are the result of the Board's decennial review of the chapter as required by § 49.51 (relating to review of certification).

Proposed amendments to §§ 49.31—49.34, 49.62 and 49.153 reframe the category of certificate to permit to accurately reflect the authorization given to the holder to work in a school setting for a limited time.

Section 49.64a (relating to authority to annual and reinstate certificates and discipline professional educators) is proposed to be revised and §§ 49.64b and 49.64c are proposed to be deleted. These revisions are necessary to clarify that the authority of the Secretary of the Department of Education (Secretary) with regard to the annulment of certificates is specific to reasons of fraud or mistake and to reflect the authority of the Professional Standards and Practices Commission in matters of discipline and certificate reinstatement under the act of December 12, 1973 (P. L. 397, No. 141) (24 P. S. §§ 2070.1—2070.18). Section 49.64e (relating to mandatory reports from schools) requires notification to the Department of persons charged or convicted of crimes of moral turpitude to enable timely Department action.

Section 49.67 is proposed to be deleted and the provisions for equivalency are proposed in new § 49.191 (relating to Letters of Equivalency). This new section created a Letter of Equivalency and distinguishes its purpose to be for compensation only in accordance with section 1141 of the code.

Age level equivalencies on Instructional Certificates are added to grade level restrictions in § 49.85 (relating to limitations). School entities are permitted to staff by age or grade level. A middle level certificate is established but not mandated in that same section.

Sections 49.102 and 49.103 (relating to Educational Specialist I; and Educational Specialist II) create parallel requirements for Education Specialists and Instructional Certificates including preparation, assessment and conversion to Level II certification.

Sections 49.112 and 49.122 (relating to renewal of Supervisory Certificate; and Administrative Certificate) are proposed to be revised to establish requirements for continuing professional development for renewal of Supervisory and Administrative Certificates.

Section 49.163 (relating to Vocational Administrative Directors) establishes requirements for assessment as a precondition for issuance of a Supervisor of Vocational Education Certificate.

Technical revisions throughout the chapter are proposed for clarity and consistency.

Affected Parties

Local education agencies, teacher preparing institutions and perspective and current teachers and administrators are affected by these proposed amendments.

Cost and Paperwork Estimates

Assessments:

With the expansion of assessment to include a measure of professional performance and to measure performance and knowledge at more points, additional costs will be incurred. It is difficult to accurately estimate these costs, but it is anticipated that the current cost of \$175 for an applicant is likely to double at each of the initial and advanced certificate points. In development of the assessment program, the Department is directed to use, when appropriate available instructions to eliminate development costs. Costs for assessment may be shared among the applicant for certification, the preparing institution and the employing entity.

Currently, candidates for initial certification (Instruction I, Intern and Education Specialist I Certificates) are required to complete a range of tests under the National Teachers Exam (NTE). The cost for these tests are borne by the applicant for certification.

Teacher Preparation Program Revisions:

With new principles/standards for preparation programs, revisions will need to be made in these programs. It is difficult to measure the costs since the 90 institutions which offer at least one teacher preparation program vary in curricular design and delivery costs. However, it is assumed that the costs for revisions in programs will be similar to those costs engaged in program redesign regularly undertaken by institutions as required by changes in licensure or accreditation standards.

The requirement for approved programs to provide support to novice teachers in their first year of teaching will entail additional costs. It is envisioned that institutions, in cooperation with one another and employment appropriate technologies, will be able to accomplish this requirement while minimizing cost.

Professional Development:

Under the proposal, educators will be required to engage in six credits or 180 hours of approved continuing professional development activities every 5 years. Currently, only teachers who have not completed a Master's Degree and commissioned officers holding a Letter of Eligibility are required to engage in professional development every 5 years. With delineating a broader array of professional development activities to include Department-approved continuing professional development activities and experiences (such as, curriculum

development activities professional publications and workshop participation) in addition to academic and inservice courses, additional costs are expected to be minimal.

Additional paperwork will be required of applicants for certification and renewal since they will need to present the results of assessments or professional development activities, or both. Optical scanning equipment and other technology enhancements currently being installed by the Department will improve the ability to process applications and renewals effectively and efficiently.

Effective Date

The final-form regulations will become effective upon final publication in the *Pennsylvania Bulletin*.

Sunset Date

The effectiveness of Chapter 49 will be reviewed by the Board every 10 years, under § 49.51. Thus, no sunset date is necessary.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 9, 1997, the Board submitted a copy of these proposed amendments to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Committees on Education. In addition to submitting the proposed amendments, the Board has provided IRRC and the Committees, with a copy of a detailed Regulatory Analysis Form prepared by the Board in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

If the Committees have objections to any portion of the proposed amendments, they will notify the Board within 20 days of the close of the public comment period. If IRRC has objections to any portion of the proposed amendments, it will notify the Board within 30 days of the close of the public comment period. The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the regulations by the Board, the General Assembly and the Governor of objections raised.

Public Comments, Hearings and Contact Person

Interested persons are invited to submit written comments, suggestions or objections regarding this proposal to Peter H. Garland, Executive Director of the State Board of Education, 333 Market Street, Harrisburg, PA 17126-0333 no later than May 19, 1997. Persons needing additional information regarding this proposal may contact Dr. Garland at telephone number (717) 787-3787 (PA Relay Service (800) 654-5984).

In addition, public hearings will be conducted by the Board beginning at 10 a.m. and concluding no later than 4 p.m. according to the following schedule:

May 7, 1997: Western Instructional Support Center, Multipurpose Room, 5347 William Flynn Highway, Gibsonia, PA (Allegheny County)

May 12, 1997: Montgomery County Intermediate Unit, Conference Room B 3-4, 1605-B West Main Street, Norristown, PA (Montgomery County)

May 16, 1997: Forum Building, Green Room, Ground Level, Commonwealth Avenue and Walnut Street, Harrisburg, PA (Dauphin County)

Persons wishing to testify at any of the hearings should contact the Board office no later than 4 p.m. on April 29,

1997, at the address and telephone numbers given in this Preamble. Testimony will be scheduled on a first-come, first-serve basis. Organizations are limited to a single witness at one hearing site. Testimony will be limited to 15 minutes, and each witness shall provide 30 copies of written statements at the time of the hearing. In lieu of testifying at the hearings, interested persons may submit written comments or testimony as provided. Thirty copies of written testimony are required.

Persons with disabilities are invited to submit testimony in alternative formats such as braille or taped testimony and via the telephone. Written and alternative formats of testimony will be afforded the same thoughtful consideration by the Board as oral testimony and will be received in the State Board of Education office until 4 p.m. on May 19, 1997.

Persons having questions or needing more information about the hearings and persons with a disability needing special accommodations to attend the hearings may contact Dr. Garland at the Board office.

Alternative formats of proposed Chapter 49 (such as, braille, large print, cassette tape) can be made available to members of the public upon request to the Board office.

PETER H. GARLAND,
Executive Director

Fiscal Note: 6-258. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 22. EDUCATION

PART I. STATE BOARD OF 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:

* * * * *

Assessment of basic skills—A measurement of a candidate's ability to communicate orally and in writing and to demonstrate proficiency in fundamental computational skills.

Assessment of general knowledge—A measurement of a candidate's knowledge in the fields of literature, fine arts, mathematics, the sciences and social studies.

Assessment of professional knowledge and practice—A measurement of a candidate's knowledge of educational theory, principles of human growth and development, educational psychology and other subjects directly related to educational practice and their application/demonstration in school settings.

Assessment of subject matter—A measurement of a candidate's knowledge of an academic field or discipline to be taught in the public schools of this Commonwealth.

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Collegiate studies—Studies pursued at institutions which are entitled to apply to themselves the designation of college or university as defined by [**the Board under**

section 1 of the act of May 7, 1937 (P. L. 585, No. 150) (24 P. S. § 2421)] 24 Pa.C.S. Chapter 65 (relating to private colleges, universities and seminaries).

Continuing professional development—[The formal acquisition of collegiate or in-service credits designed to improve and expand the expertise of professional personnel who receive their initial certificate in a given certificate category after June 1, 1987] Ongoing enhancement of professional knowledge and skill pursued through activities, studies and other organized experiences.

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Induction—A process by which a variety of professional support services are provided to newly employed teachers and educational specialists under the guidance of professional personnel to facilitate entry into the [teaching] education profession.

Induction plan—A description of the induction process developed and submitted by the school entity to the Department for approval which describes how a teacher or educational specialist will be introduced to the teaching profession under this chapter.

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[*Passing score*—Satisfactory achievement as determined by the Secretary in consultation with the Board on the Department prescribed tests required in this chapter.]

Permit—A document prepared and issued by the Department indicating that the holder is allowed to serve in lieu of a certificated professional for a specified period of time.

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

Professional Standards and Practices Commission (PSPC)—[An advisory] A body [to the Board] composed of educators from the fields of basic and higher education, [a college student, and a parent of a child attending public school] members of the general public, and an ex officio member of the Board established [in sections 1253—1258 of the act (24 P. S. §§ 12-1253—12-1258)] by the Teacher Certification Law.

Satisfactory achievement—An acceptable level of performance as determined by the Secretary in consultation with the Board on the Department prescribed assessments required in this chapter.

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Teacher Certification Law—The act of December 12, 1973 (P. L. 397, No. 141) (24 P. S. §§ 2070.1—2070.18).

Term of validity—A period of time as defined in §§ 49.82, 49.92, 49.142 and 49.152 [(relating to Instructional I; and term of validity)] in which the holder of a certificate is entitled to perform the professional duties for which the certificate was issued.

[*Test of basic skills*—An assessment of a candidate's ability to communicate in formal American

English and to demonstrate proficiency in fundamental computational skills.

Test of general knowledge—An assessment of a candidate's knowledge in the fields of literature, fine arts, mathematics, science, and social studies.

Test of professional knowledge—An assessment of a candidate's knowledge of educational theory, principles of human growth and development, educational psychology, and other subjects directly related to teaching.

Test of subject matter—An assessment of a candidate's knowledge of an academic field or discipline to be taught in the public schools of this Commonwealth.]

§ 49.2. Inactivity and invalidity.

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(b) *Invalidity*. A certificate shall be invalid if the holder fails to meet, or if circumstances arise as specified in [,] § 49.33, § 49.34(b), § 49.82, [§ 49.84,] § 49.92, § 49.102, [49.111(b)] § 49.142 or § 49.152.

§ 49.11. General.

(a) Certificates and letters of eligibility in force in this Commonwealth on [September 13, 1980] _____ (*Editor's Note: The blank refers to the effective date of adoption of this proposal*) shall continue in force and effect, subject to all the terms and conditions under which they were issued, until they expire by virtue of their own limitations.

(b) State certificates and permits shall be issued as provided in this chapter, and teachers, and other professional personnel may not perform professional duties or services in the schools of this Commonwealth in any area for which they have not been properly certificated or permitted.

(c) This chapter establishes the specific requirements for the certification and permitting of persons serving in the [basic schools] public school entities of this Commonwealth as professional employes, temporary professional employes, substitutes and commissioned school administrators of the Commonwealth.

§ 49.12. Eligibility.

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

* * * * *

(2) [Show a physician's certificate stating that the applicant is neither mentally nor physically disqualified from successful performance of the duties of a teacher.] 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.

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(4) Except [for] in the case of the [Letter of] Temporary [Certification] Permit, Vocational Instructional Intern Certificate and Vocational Instructional Certificate, have earned minimally a baccalaureate degree as a general education requirement.

§ 49.13. Policies.

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

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

(4) Evaluation and approval of teacher education programs leading to the certification and permitting of professional personnel. Program approval teams shall consist of professional educators from basic and higher education.

(5) Registration of certificated and permitted persons.

(6) Maintenance of records of all certificates and permits.

(7) Assurance that each professional person is properly certificated or permitted for the specific position in which [he] the professional person is employed.

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(11) Identification and approval of assessment tools, instrument and procedures to measure basic skills and general knowledge; professional knowledge and practice; and subject matter knowledge.

(12) Establishment of equivalencies for education and experience for each certificate area for those candidates not completing an approved program, subject to the approval of the Board.

(13) Establishment of specific criteria for temporary waivers and school entity petition process, subject to the approval of the Board, to provide for flexibility in staffing as necessary to meet the requirements of Chapter 5 (relating to curriculum requirements). The Secretary may grant temporary waivers upon petition of the board of a school entity. The Secretary will report annually to the Board the number and nature of the waivers.

(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 program [and] or its equivalent. Those candidates completing an approved program shall be recommended by the preparing institution.

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§ 49.14. Approval of institutions.

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

* * * * *

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

(i) Institutions develop clear goals and purposes for each program, including attention to professional ethics and responsibilities.

(ii) Institutions are able to demonstrate how instructional and clinical activities provide educator candidates with the capacity to enable the achievement of all students.

(iii) Institutions are able to demonstrate that educator candidates successfully participate in early and frequent clinical experiences fully integrated within the instructional program.

(iv) Institutions 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.

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

(vi) Institutions 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.

(vii) Institutions, 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.

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

(ix) Institutions provide evidence that at least 95% of candidates applying for certification achieve at a satisfactory level all assessments appropriate to initial certification in each program for which they are approved.

§ 49.15. [Approval of experimental programs] (Reserved).

[The Department may enter into a written agreement with a preparing institution wishing to conduct an experimental program. The institution shall meet the requirements described in § 49.14 (relating to approval of institutions). Certification shall be given to graduates of such an experimental program upon recommendation by the institution if the institution 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) **[Prior to June 1, 1987, each]** Each school entity shall submit to the Department for approval a plan for the induction experience for first-year teachers **and educational specialists as part of their strategic plan every 6 years as required by § 5.203 (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.

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(c) The induction plan shall reflect a mentor relationship between the first year teacher **or educational specialist, teacher educator** and the induction team.

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§ 49.17. Continuing professional development.

(a) A school entity shall submit to the Secretary for approval a continuing professional development plan in accordance with section 1205.1 of the act (24 P. S. § 12-1205.1).

(1) A school entity shall develop a continuing professional development plan which shall include options for professional development including **[, but not limited to,]** activities such as the following:

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(iv) Curriculum development work **and other program design and delivery activities.**

(v) **[Attendance at]** Participation in professional conferences **and workshops.**

(vi) Supervised **[classroom]** peer observations of **or formal consultations with** other professional employes.

(2) The continuing professional plan shall define terms used including **[, but not limited to,]** the following:

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(iii) Curriculum development work **and other program design and delivery activities.**

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(v) Supervised **[classroom]** peer observations of **or formal consultations with** other professional employes.

(3) The continuing professional development plan shall be developed by teacher representatives chosen by the teachers **[and]**, administrative representatives chosen by the administrative personnel of the school entity, parents with children attending a school in the district and individuals from the community. The plan shall describe the persons who developed the plan and how the persons were selected.

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(5) The Secretary will **[promulgate]** develop guidelines which include a process for amending approved

continuing professional development plans in accordance with the requirements for initial preparation of the plans.

(6) The continuing professional development plan shall include a section which describes how the professional development needs of the school entity and its professional employes are to be met through implementation of the plan. **Annually, each school entity shall review its plan to determine that it continues to reflect the needs of the school entity and its professional employes and amend as necessary.**

(7) **[Initial continuing professional development plans shall be implemented by a school entity no later than the beginning of the 1988-89 school year.]** The continuing professional development plans shall be coordinated by school entities with their strategic and induction plans.

(b) **[Reserved]**

(c) A commissioned officer who obtains a Letter of Eligibility for Superintendent after June 1, 1987, Professional personnel, obtaining an Instructional II, Educational Specialist II, Supervisory, or Administrative Certificate or Letter of Eligibility or Vocational Instructional II or Vocational Administrative Director Certificate after _____ *(Editor's Note: The blank refers to the effective date of adoption of this proposal)* shall, thereafter, present to the Secretary evidence of satisfactory **[completion of 6 credit hours of]** participation in continuing professional development **[courses]** every 5-calendar years. This subsection will be satisfied by **[taking collegiate studies or Department-approved inservice courses or a combination thereof.]** completing one of the following or a combination thereof:

(1) Six credits of collegiate studies in the areas of assignment and certification.

(2) Six credits of Department-approved inservice courses in the areas of assignment and certification.

(3) One hundred eighty hours of Department-approved continuing professional development activities and experiences.

[(d)] (c) Professional personnel who fail to comply with the continuing professional development plan under subsection (a) or **[commissioned officers]** those who fail to complete the **[required 6 credit hours]** requirements under subsection (c) will have their certificates or commissions rendered inactive until the requirement is met.

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

(e) **Activities and experiences approved to meet requirements for continuing professional development shall meet the following standards:**

(1) Have significant intellectual and practical content, the primary objective of which is to improve the participants' professional competence.

(2) Deal with matters directly related to subjects which satisfy the purposes of this chapter.

(3) Be organized and led by persons qualified with the practical or academic experience necessary to conduct the activity or experience effectively.

(4) Be approved as professional activities and experience by the continuing professional development committee of the school entity.

§ 49.18. [Testing] Assessment.

(a) The Secretary will institute [a testing] an assessment program for candidates for certification designed to assess their basic skills[,] and general knowledge[,]; professional knowledge [and knowledge of the subjects in which they seek certification] practice; and subject matter knowledge. The following principles shall guide the Secretary in the development of an assessment program:

(1) The assessment program will be based in the standards developed for each certificate.

(2) The assessment program will measure candidates' 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 will be developed in consultation with teachers, administrators and teacher educators.

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

(b) The Secretary, in consultation with the Board, will establish a [passing score] satisfactory achievement level for the [tests enumerated] assessments in subsection (a).

(c) The [tests] assessments in basic skills[,] and general knowledge[,]; professional knowledge and practice; and subject matter knowledge will be given, and [passing scores] satisfactory achievement levels shall be [achieved] reached, prior to the issuance of a certificate.

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

EMERGENCY [CERTIFICATES] PERMITS

§ 49.31. Criteria for eligibility.

The Department may issue an emergency [certificate] permit for service in the public schools, at the request of the employing public school entity, to an applicant who is a graduate of a [State approved teacher preparing four] 4-year college or university to fill a professional vacancy when a fully qualified and properly certificated applicant is not available. The emergency [certificate] permit is issued on the basis of terms and conditions agreed upon between the requesting public school entity and the Department. [Annually] Each July, the Department will report to the Board the

number and nature of emergency [certificates] permits issued during that year.

§ 49.32. Emergency cases.

The Department may approve the issuance of an emergency [certificate] permit to a person at the request of a public school entity upon receiving appropriate evidence of exceptional conditions requiring Department resolution of the staffing problem.

§ 49.33. Expiration.

[All emergency certificates] Emergency permits shall expire with the termination of any summer school conducted [in the summer] which follows the date of issuance. Persons holding an emergency [certificate] permit shall be used in staffing summer school positions only when regular employees holding the appropriate provisional or permanent certificate are not available.

§ 49.34. Issuance by chief school administrator.

(a) The chief school administrator of a public school entity is authorized to issue an emergency [certificate] permit for day-to-day service as a substitute when the following conditions are met:

(1) The person for whom the [certificate] permit is sought holds a valid Pennsylvania [Instructional Certificate] certificate or [a valid Pennsylvania Educational Specialist Certificate] its equivalent from another state.

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(3) The person for whom the [certificate] permit is sought consents to an assignment outside the area of [his] the person's certification.

(b) This [certificate] permit shall be valid for 15 cumulative school days of service as a day-to-day substitute in each certificate endorsement area. If renewal is necessary, the chief school administrator may request, [during the initial 15 day period] within 30 days of the person's last day of service, issuance of an emergency [certificate] permit by the Department [pursuant to] under §§ 49.31 and 49.32 (relating to criteria for eligibility; and emergency cases).

(c) This [certificate shall] permit will not qualify the holder to serve in a vacant position which must be filled by a temporary professional employe or professional employe or to serve as a substitute for a regularly appointed professional employe or temporary professional employe on an approved leave of absence. Issuance by the Department is used to qualify persons for [such] this service.

(d) Under no conditions may [this emergency a certificate] a permit be issued or used during a work stoppage.

ADMINISTRATIVE COMMISSION

§ 49.41. Description.

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(b) A commission will be issued for a specific term in accordance with Article X of the Public School Code of 1949 (24 P. S. §§ 10-1001—[10-1083.1] 10-1089).

§ 49.42. Letter of eligibility.

A letter of eligibility of an administrative commission shall be issued in lieu of a certificate by the Department to a candidate who has completed an approved program of preparation in administration and who has been recommended by the preparing institution or presents similar experience, skills and education to the Department. Letters of eligibility will be issued to candidates who meet Department prescribed standards based on the following principles:

(1) The administrator demonstrates educational leadership which provides purpose and direction for the achievement of all students.

(2) The administrator effectively organizes and manages the total educational program of a local education agency with particular attention to the statutory and regulatory environment of education.

(3) The administrator understands and effectively manages financial and human resources to foster student achievement.

(4) The administrator effectively communicates with students, faculty, staff, parents and members of the community.

(5) The administrator, in collaboration with faculty, staff, students and parents, fosters a climate conducive to student achievement.

(6) The administrator is a reflective practitioner who thinks systematically about practice, learns from experience, seeks the advice of others, draws upon educational research and scholarship and actively seeks opportunities to grow professionally.

CHANGES IN CERTIFICATION

§ 49.51. Review of certification.

(a) The Department will [review certification regulations annually and will] report [needed revisions to the Board] annually to the Board on the status of certification in this Commonwealth.

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MISCELLANEOUS PROVISIONS

§ 49.62. Temporary [letters of certification] permits.

The Department may issue [a letter of certification] permits at the request of an employing public school entity. The [letter of certification] permit may be issued in lieu of a certificate to a competent specialist in any area of knowledge [in order] to enable the schools of [the] this Commonwealth to use the services of noncertified personnel for supplemental instruction under the supervision of a certificated teacher. The service shall be parttime and [shall] may not exceed 300 clock-hours during a school year. [Such] These persons [shall] will not be considered professional staff.

§ 49.62a. [School program] Program specialist certificate.

(a) The Department may issue a [school] program specialist certificate, at the request of the employing public school entity, to an applicant [whom the Department verifies as meeting] who meets the qualifications and competencies needed to perform the duties and

functions of a locally established professional position as set forth by a description of the position approved by the local board of directors.

(b) [School program] Program specialist certificates may be issued only for an area of service in which a certificate does not exist. They may be issued only to persons who hold a valid [Instructional or Educational Specialist] Pennsylvania certificate or its equivalent from another state. Annually, the Department will report to the Board the number and nature of [such] these certificates issued during the year.

(c) [School program] Program specialist certificates are valid only for the position described in the approved position description and are not transferable to other school entities.

[(d) The provisions of this section and of § 49.184 (relating to Intermediate Unit Program Specialist Certificates) are mutually exclusive, neither related nor interchangeable.]

§ 49.63. Applicants educated in foreign countries.

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(b) The Department may substitute competency examinations for transcript review in a case involving the loss of [credentials] credentialing documents in a foreign country providing the applicant submits acceptable evidence that [he] the applicant did, in fact, complete a teacher education program.

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§ 49.64a. Authority to annul[, revoke, or suspend] and reinstate certificates and discipline professional educators.

(a) [Annulment or revocation. In accordance with the authority vested in the Secretary by section 1211 of the Public School Code of 1949, P. L. 30 (24 P. S. § 12-1211) and by section 2(j) of the act of May 29, 1931, P. L. 210, as amended (24 P. S. § 1225(j)), the Secretary shall annul or revoke the professional certificate or letter of eligibility of any person for cause as enumerated by the above statutes and by § 49.64b (relating to causes for annulment, revocation, or suspension), thereby prohibiting such person from teaching or engaging in other professional services in the schools of the Commonwealth until such time as such person is reinstated in accordance with § 49.64d(b) (relating to reinstatement of suspended or revoked certificates).] A professional certificate or letter of eligibility obtained by fraud or mistake will be considered void "ab initio" and will be annulled by the Secretary. An annulment will not be effected without prior notice and hearing in accordance with reasonable procedures as the Secretary shall prescribe, after review of and comment on the procedures by the Board.

(b) [Suspension. In accordance with the authority vested in the Secretary by section 2(j) of the act of May 29, 1931 P. L. 210, as amended (24 P. S. § 1225(j)), the Secretary shall suspend the professional certificate or letter of eligibility of any person for cause as enumerated by the above statute or by § 49.64b (relating to causes for annulment, revocation, or suspension), for a period of time not to exceed one year, thereby denying such person the right to teach or engage in other professional

services in the schools of the Commonwealth for that period of time. When the period of suspension has passed, the certificate or letter of eligibility shall be reinstated in accordance with § 49.64d(a) (relating to reinstatement of suspended or revoked certificates.)] In accordance with the authority vested with the Professional Standards and Practices Commission by the Teacher Certification Law, the Commission may discipline professional educators.

(c) [*Procedure.* No annulment, revocation, or suspension under subsections (a) and (b) shall be effected without prior notice and hearing in accordance with such reasonable procedures as the Secretary shall prescribe, after review of an comment on the procedures by the Board.] In accordance with the authority vested with the Professional Standards and Practices Commission by section 16 of the Teacher Certification Law (24 P. S. § 2070.16), the Commission may reinstate a professional educator's certificate.

§ 49.64b. [Causes for annulment, revocation, or suspension] (Reserved).

[(a) The Secretary shall annul, revoke, or suspend certification for those causes specified by section 1211 of the Public School Code of 1949 (24 P. S. § 12-1211) and by section 2(j) of the act of May 29, 1931, P. L. 210 (24 P. S. § 1225(j)).

(b) Any professional certificate or letter of eligibility obtained by fraud or mistake shall be considered void *ab initio* and shall be annulled by the Secretary after notice and hearing as provided in § 49.64a(c) (relating to authority to annul, revoke, or suspend).

(c) Any alteration of a professional certificate shall render that certificate null and void and reissuance of a new certificate may be refused pending annulment, revocation, or suspension proceedings for any of the causes enumerated in subsection (a).

(d) In addition to any other remedy provided by law, should any person willfully refuse to return a certificate or letter of eligibility recalled for cause by the Secretary, such certificate may be revoked or further suspended for cause as enumerated in subsection (a) after notice and hearing as provided by § 49.64a(c) (relating to authority to annul, revoke, or suspend).

(e) Annulment, revocation, or suspension of a professional certificate by another state for one of the causes enumerated in subsection (a) shall be considered probable cause for initiation of annulment, revocation, or suspension proceedings by the Secretary, but no annulment, revocation or suspension shall be effected except after notice and hearing as provided by § 49.64a(c) (relating to authority to annul, revoke, or suspend).]

§ 49.64c. [All certificates and letters of eligibility subject to suspension or revocation] (Reserved).

[The suspension or revocation by the Secretary of a certificate or letter of eligibility of any person shall automatically suspend or revoke any and all certificates or letters of eligibility issued by the Department held by that person except that person

found incompetent in any one area of certification may retain their other certificates or letters of eligibility when the sole basis of the suspension or revocation is insufficient knowledge of subject matter.]

§ 49.64d. [Reinstatement of suspended or revoked certificates] (Reserved).

[(a) Any certificate or letter of eligibility which has been suspended is automatically reinstated at the end of the suspension period, provided, in the case of certificates, that the suspended certificate did not expire during the period of suspension. If the certificate expired during the period of suspension, the holder of the former certificate may be issued a new one provided he satisfies the requirements for the new certificate by demonstrating competency in the area of the previous certificate.

(b) An individual whose certificate or letter of eligibility has been annulled or revoked may have his case reconsidered annually. The burden of demonstrating his fitness for having his certificate or letter of eligibility reinstated rests with the individual. If the burden is met, the Secretary may place conditions on the issuance of the reinstated certificate or letter of eligibility.]

§ 49.64e. Mandatory reports from schools.

The board of school directors of the employing school district or the board of directors of each employing intermediate unit or area vocational technical school, or the appropriate governing body of the employing nonpublic school shall report to the Secretary within [ten] 10 days of dismissal the name of any person who has been dismissed and the cause for [such] the dismissal and the name of any individual who is charged or convicted of a crime of moral turpitude.

§ 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] State college or university whose teacher education requirements are [equivalent] comparable to those of this Commonwealth.

* * * * *

(4) Presented evidence of satisfactory achievement in assessments prescribed by the Department under § 49.18(a) (relating to assessment).

(b) [If evaluation by the Department reveals minor deficiencies in the preparation program of the applicant, the Department will prescribe the additional educational requirements to be met in securing Commonwealth certification.] The Department may enter into a reciprocal certification agreement with the appropriate authority of another state to recognize comparable certificates.

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

§ 49.67. [Master's degree equivalency certificates] (Reserved).

[A Master's degree equivalency certificate shall be issued for salary purposes only, subject to the following terms and conditions:

(1) The certificate is issued to persons holding a valid Instructional I, Instructional II, Educational Specialist I, Educational Specialist II certificate or their equivalents, upon the accumulation of 36 hours of graduate level credit. A minimum of 18 academic graduate credits must be earned in the content area of the applicant's primary teaching assignment at a college or university approved to offer graduate work. A maximum of 18 of the credit requirement may be satisfied through inservice programs approved by the Secretary of Education for meeting master's equivalency requirements.

(2) The certificate is also issued to holders of Vocational Instructional I, Vocational 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 may be satisfied, in full or in part, through inservice programs approved by the Secretary of Education 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 inservice courses used toward the attainment of the certificate.

(4) This regulation becomes effective July 1, 1974, except that persons with an Instructional I, Instructional II, Educational Specialist I, Educational Specialist II or their equivalents applying for a Master's Degree Equivalency Certificate before September 1, 1975, need have only 12 academic graduate credits earned in the content area of the applicant's primary teaching assignment.]

§ 49.68. Evaluation of prescribed requirements and standards.

Institutions of higher education within this Commonwealth with approved teacher education 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 [the candidate passes] providing evidence of satisfactory achievement in the [tests] assessments under § 49.18 (relating to [testing] 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 approved by the Department or its equivalent and, when applicable 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) [Letters of] Temporary [Certification] Permit.

(2) Emergency [Certificates] Permit.

* * * * *

(6) Supervisory [Certificates] Certificate.

(7) Administrative [Certificates] Certificate.

(8) [School] Program Specialist [Certificates] Certificate.

* * * * *

[(11) Intermediate Unit Program Specialist Certificates.]

* * * * *

INSTRUCTIONAL CERTIFICATES

§ 49.81. General.

(a) The Department will issue instructional certificates to persons whose primary responsibility is teaching. Candidates for instructional certificates shall be able to help students achieve under Chapter 5 (relating to curriculum).

(b) Instructional certificates will be issued to candidates who meet Department prescribed standards based on the following principles:

(1) The teacher understands the central concepts, tools of inquiry, and structures of the discipline the teacher teaches and can create learning experiences that make these aspects of subject matter meaningful for all students.

(2) The teacher understands how all children learn and develop, and can provide learning opportunities that support their intellectual, social, career and personal development.

(3) The teacher understands how students differ in their ability and approaches to learning and creates opportunities that foster achievement of diverse learners in the inclusive classroom.

(4) The teacher understands and uses a variety of instructional strategies, including interdisciplinary learning experiences, to encourage students' development of critical thinking, problem solving and performance skills.

(5) The teacher uses an understanding of individual and group motivation and behavior to create a learning environment that encourages positive social interaction, active engagement in learning and self-motivation.

(6) The teacher uses knowledge of effective verbal, nonverbal and media communication techniques supported by appropriate technology to foster active inquiry, collaboration and supportive interaction in the classroom.

(7) The teacher plans instruction based upon knowledge of subject matter, students, the community and curriculum goals.

(8) The teacher understands and uses formal and informal assessment strategies to evaluate and en-

sure the continuous intellectual, social and physical development of the learner.

(9) The teacher is a reflective practitioner who thinks systematically about practice, learns from experience, seeks the advice of others, draws upon educational research and scholarship and who actively seeks out opportunities to grow professionally.

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

§ 49.82. Instructional I.

(a) The Instructional I Certificate shall be valid for 6 years of teaching in the area for which it [is endorsed] 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:

* * * * *

(2) [Successfully complete] Present evidence of successful completion of a Department-approved teacher [certification] preparation program or its equivalent.

(3) Present evidence of [having passed the] satisfactory achievement in assessments prescribed by the Department [-prescribed tests] under § 49.18(a) (relating to [testing] assessment).

(4) Receive recommendation for certification from a college or university if completing a Department-approved teacher preparation program.

§ 49.83. Instructional II.

The Instructional II Certificate shall be a [permanent] renewable certificate as defined in § 49.17(c) (relating to professional development) issued to an applicant who has completed:

* * * * *

(3) Twenty-four credit hours of collegiate study or its equivalent in inservice courses approved by the Department or Department approved professional development activities or [both] a combination thereof.

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

§ 49.84. [Collegiate credit acceptable for renewal or conversion of the Instructional I Certificate] (Reserved).

[(a) College credit acceptable for renewal of the Instructional I Certificate and conversion to the Instructional II Certificate shall be earned at a State approved baccalaureate 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 must be earned subsequent to the conferring of the baccalaureate degree.]

§ 49.85. Limitations.

(a) The grade level limitations of instructional certificates shall be the following:

(1) Early childhood (nursery, kindergarten, grades one to three or ages 3 to 8).

(2) Elementary (kindergarten, grades one to six or ages 3 to 11).

(3) [Secondary (grades seven to 12)] Middle level (grades six to nine or ages 11 to 14).

(4) [Specialized areas (kindergarten to grade 12)] Secondary (grades seven to 12 or ages 11 to 21).

(5) Specialized areas (kindergarten to grade 12 or up to age 21).

(b) The decision about staffing based on age or grade level rests with the school entity.

INTERN CERTIFICATES

§ 49.91. Criteria for eligibility.

(a) The Department may make a one-time issuance of an Intern Certificate for service in approved elementary, middle and secondary schools to applicants who, in addition to meeting the requirements of § 49.12 (relating to eligibility), present evidence of [having passed the] satisfactory achievement on Department-prescribed assessments of basic skills, general knowledge and subject matter tests; are enrolled in and have completed appropriate professional education courses in an approved intern program, which may include an induction; and are recommended for certificates by the institution holding approval.

(b) The applicant will be issued an Instructional I Certificate upon completion of the approved intern program and [the passing] satisfactory achievement on the assessment of [the] professional knowledge [test] and practice.

EDUCATIONAL SPECIALIST CERTIFICATES

§ 49.101. General.

The Department will issue educational specialist certificates to persons whose primary responsibility shall be to render professional service other than classroom teaching. The service shall be directly related to the personal welfare of the learner and may include service for the needs of other professional personnel working with learners. Candidates for educational specialist certificates shall be able to help students achieve under Chapter 5 (relating to curriculum). Educational specialist certificates will be issued to candidates who meet Department prescribed standards based on the following principles:

(1) The educational specialist understands the central concepts, structures and delivery styles of the professional area in which the educational specialist practices and can foster learning experiences for all students.

(2) The educational specialist understands how all children learn and develop, and can contribute to the provision of learning opportunities that support their intellectual, social, career and personal development.

(3) The educational specialist understands how students differ in their ability and approaches to learning and creates opportunities that are adapted to diverse learners.

(4) The educational specialist understands and uses a variety of professional strategies to encourage students' development of critical thinking, problem solving and performance skills.

(5) The educational specialist uses an understanding of individual and group motivation and behavior to create a learning environment that encourages positive social interaction, active engagement in learning and self-motivation.

(6) The educational specialist uses knowledge of effective verbal, nonverbal and media communication techniques supported by appropriate technology to foster active inquiry, collaboration, and supportive interaction in and out of the classroom.

(7) The educational specialist plans professional services based upon knowledge of professional field, students, the community and curriculum goals.

(8) The educational specialist understands and uses formal and informal assessment strategies to evaluate and ensure the continuous intellectual, social and physical development of the learner.

(9) The educational specialist is a reflective practitioner who thinks systematically about practice, learns from experience, seeks the advice of others, draws upon educational research and scholarship and who actively seeks out opportunities to grow professionally.

(10) The educational specialist contributes to school effectiveness by collaborating with other educators and parents, by using community resources, and by working as an advocate for change to improve opportunities for student learning.

§ 49.102. Educational Specialist I.

(a) ***

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

(1) Present evidence of successful completion of a Department-approved educational specialist preparation program or its equivalent.

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

(3) Receive recommendation for certification from a college or university if completing a Department-approved educational specialist preparation program.

§ 49.103. Educational Specialist II.

[(a) The Educational Specialist II Certificate shall be a permanent certificate issued to an applicant who shall have completed 3 years of satisfactory service on a Level I Educational Specialist 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. In addition, the applicant shall have completed 24 semester credit hours of collegiate study as described in § 49.104 (relating to

college credit acceptable for renewal or conversion of Educational Specialist I Certificate).

(b) The 24 semester credit hour requirement may be satisfied, in whole or in part, through inservice programs approved by the Department.]

The Educational Specialist II Certificate shall be a renewable certificate as defined in § 49.17(c) (relating to continuing professional development) issued to applicants who:

(1) Have completed a Department-approved induction program.

(2) Have completed 3 years of satisfactory teaching on an Educational Specialist 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.

(3) Have completed 24 credit hours of collegiate study or its equivalent in inservice courses approved by the Department or Department-approved professional development activities or a combination thereof.

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

§ 49.104. [College credit acceptable for renewal or conversion of Educational Specialist I Certificate] (Reserved).

[(a) College credit acceptable for renewal of the Educational Specialist I Certificate and conversion to the Educational Specialist II must be earned at a State approved baccalaureate degree granting institution.

(b) Credits earned in programs designed to prepare for professional fields such as law, medicine, or theology, unless relevant to the area of certification, will not be considered acceptable for purposes of renewing or converting the Educational Specialist I Certificate.

(c) Credit shall be earned subsequent to the conferring of the baccalaureate degree.]

§ 49.105. Limitations.

The grade level limitations of educational specialist certificates shall be specified in the standards stated for the respective preparation programs of certification.

SUPERVISORY CERTIFICATES

§ 49.111. Supervisory [I] Certificate.

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

* * * * *

(2) Have completed an approved graduate program preparing the applicant for the responsibilities of supervising in the [specified single] program area and of directing the activities of certificated 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 5 (relating to curriculum requirements).

(5) Meet Department prescribed standards following these principles:

(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 children learn and develop and configures resources to support the intellectual, social and personal growth of 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.

(vii) The supervisor understands and uses formative and summative assessment strategies to gauge effectiveness of people and programs on student learning.

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

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

(b) A Supervisory [I] Certificate for either Curriculum and Instruction or Pupil Personnel Services [, valid for 3 years of provisional service in the specified area,] shall be issued to persons who:

* * * * *

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

§ 49.112. Renewal of Supervisory [II] Certificate.

Persons who obtain a Supervisory [II Certificates] Certificate after ____ (Editor's Notes: The blank refers to the effective date of adoption of this proposal.) shall [be permanent certificates issued to applicants who shall have completed 3 years of satisfactory supervisory experience on a Supervisory I Certificate attested to by the chief school administrator of the approved public or nonpublic school entity in which the most recent service was performed] thereafter, present to the Secretary evidence of satisfactory participation in continuing professional development as defined in § 49.17(c) (relating to continuing professional development).

ADMINISTRATIVE CERTIFICATES

§ 49.121. Administrative [I] Certificate.

(a) The Department will issue Administrative [I] Certificates to persons who have had a minimum of 5 years of professional school experience, and have completed an approved program of graduate study preparing [him] 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 in which the graduate program was completed], or a similar combination of experience and education.

* * * * *

(c) The Department will issue Administrative Certificates to persons who present evidence of satisfactory achievement on assessments prescribed by the Department under § 49.18(a)(relating to assessment).

(d) The Department will issue Administrative Certificates to persons who meet Department prescribed standards following these principles:

(1) The administrator demonstrates instructional leadership which provides purpose and direction for the achievement of all students.

(2) The administrator possesses the organizational skills to implement plans of action efficiently and effectively for student achievement.

(3) The administrator, in collaboration with students, faculty, staff and parents, creates a school climate that fosters student achievement.

(4) The administrator gathers information from, and communicates effectively to students, faculty, parents, staff and the community to facilitate student achievement.

(5) The administrator understands the importance of a clear, detailed vision and an explicitly stated philosophy in shaping a coherent curriculum and in fostering an effective school.

(6) The administrator makes systematic use of data to assess the needs and accomplishments of students, faculty and staff.

(7) The administrator is a reflective practitioner who 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.

§ 49.122. Renewal of Administrative [II] Certificate.

Persons who obtain an Administrative [II Certificates] Certificate after ____ (Editor's Note: The blank refers to the effective date of adoption of this proposal) shall [be permanent certificates issued to applicants who have completed 3 years of satisfactory administrative experience on an Administrative I Certificate attested to by the chief school administrator of the approved public or nonpublic school entity in which the most recent service was performed], thereafter, present to the Secretary evidence of satisfactory participation in continuing professional development as defined in § 49.17(c) (relating to professional development).

Subchapter C. VOCATIONAL EDUCATION
CERTIFICATION

GENERAL PROVISIONS

§ 49.131. Basic requirements for baccalaureate and nonbaccalaureate programs.

(a) Applicants for a certificate [must] shall have completed, in addition to all legal requirements, a program of teacher education approved by the Department or its equivalent and shall have received the recommendation of the preparing institutions, if applicable.

* * * * *

(c) Applicants [must] shall present evidence of [obtaining passing scores on tests] satisfactory achievement on assessments required in § 49.18 (relating to [testing] assessment).

* * * * *

§ 49.132. Types of certificates.

Four basic types of certificates shall be issued, as follows:

* * * * *

[(3) Supervisor of Vocational Education.

(4)] (3) ***

§ 49.133. Levels of certification.

Vocational Instructional Certificates [, Supervisor of Vocational Education Certificates and Vocational Administrative Director Certificates] shall be issued for the following levels of qualifications:

* * * * *

(2) Level II ([Permanent] Renewable).

VOCATIONAL INSTRUCTIONAL CERTIFICATES

§ 49.141. General.

* * * * *

(b) The holder of a vocational teaching certificate may also teach the technical skills and [knowledges] knowledge of [his] the holder's occupation in courses of comparable content provided in secondary school programs which have not been accorded State approval as vocational education programs under conditions [set forth in] the policies and standards of the Department. Candidates for vocational instructional certificates shall be able to help students achieve under Chapter 5 (relating to curriculum).

§ 49.142. Vocational Instructional I.

(a) A single certificate will be issued and titled, "Vocational 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 [must] shall have:

* * * * *

(2) Successfully completed the occupational competency examination or evaluation of credentials for occupations where examinations do not exist or [passed a test]

present evidence of satisfactory achievement on an assessment of subject matter under § 49.18 (relating to [testing] assessment).

(3) Completed 18 credit hours in an approved program of vocational teacher education or its equivalent.

(4) Presented evidence of [having passed] satisfactory achievement on the [test] assessment of basic skills under § 49.18.

(b) The Vocational Instructional I Certificate shall be valid for [7] 6 years, during which time the applicant [must] shall complete the approved preparation program leading to the Vocational Instructional II Certificate.

§ 49.143. Vocational Instructional II.

The Vocational Instructional II Certificate shall be a [permanent] renewable certificate as defined in § 49.17(c) (relating to professional development) issued to an applicant who has:

* * * * *

(2) Completed 60 credit hours in an approved program in the appropriate field of vocational education or its equivalent.

(3) Presented evidence of [having passed the test] satisfactory achievement in assessments of general knowledge and [the test] of professional knowledge and practice under § 49.18 (relating to [testing] assessment).

* * * * *

VOCATIONAL INTERN CERTIFICATES

§ 49.151. Eligibility and criteria.

(a) The Department will issue Vocational Intern Certificates for teaching in State approved programs of vocational education in the public schools of this Commonwealth to applicants who have:

* * * * *

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

* * * * *

(b) The applicant shall be issued a Vocational Instructional I Certificate upon presenting evidence of 2 years wage-earning experience, completion of an approved intern program and [passing] satisfactory achievement on the [test] assessment of basic skills.

§ 49.153. Vocational emergency [certificate] permit.

(a) The chief school administrator having jurisdiction over an approved Vocational Education program shall be authorized to issue a special emergency [certificate] permit on a day-to-day basis to an occupational practitioner when no properly certificated teachers are available. The teacher shall function under the supervision of a properly certificated [vocational] supervisor or administrator. Assignments as described in this section shall be made only in case of an extreme emergency and may not exceed 15-consecutive school days. This [certificate] permit shall be valid for 15 days of substitute

service and may be renewed for an additional 15 school days upon the approval of the Secretary.

(b) This [**certificate**] permit does not qualify the holder to serve as a regularly elected teacher to fill a vacant position or as a long-term substitute. The positions [**must**] shall be filled by a person holding a valid Vocational Instructional or a State issued Emergency [**Certificate**] Permit. Reference should be made to § 49.32 (relating to emergency cases).

[**SUPERVISOR OF VOCATIONAL EDUCATION CERTIFICATE**]

§ 49.161. [**Supervisor of Vocational Education I**] (Reserved).

[**The Department will issue a Supervisor of Vocational Education Certificate to a person who shall have a minimum of three years satisfactory certificated vocational teaching experience and whose primary assignment will be either or both of the following:**

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

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

§ 49.162. [**Supervisor of Vocational Education II**] (Reserved).

[**The Supervisor of Vocational Education II Certificate shall be a permanent certificate issued to a person who:**

(1) **Has three years of satisfactory service on a Supervisor of Vocational Education I Certificate.**

(2) **Has completed a preparation program and has accumulated three years of satisfactory service on a formerly issued Pennsylvania Supervisory Certificate issued for a single field of vocational education or on a formerly issued Pennsylvania Coordinator of Trade and Industrial or Vocational Education Certificate.**]

VOCATIONAL ADMINISTRATIVE DIRECTOR CERTIFICATE

§ 49.163. Vocational Administrative Director [**I**].

[**(a) Vocational Administrative Director I Certificate shall be valid for six years of service as a Director of Vocational Education. It may be converted to a Vocational Administrative Director II Certificate after three years of satisfactory service as provided in § 49.164 (relating to Vocational Administrative Director II).**

(b)] The Department will issue the Vocational Administrative Director [**I**] Certificate to persons who:

(1) Have a minimum of [**five**] 5 years successful teaching in vocational education.

(2) Have completed an approved program of graduate study of a comprehensive scope preparing them to direct,

operate, supervise[,] and administer the organizational and educational activities of a vocational technical school or department **or its equivalent**; applicants **who graduate from approved programs** 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).**

§ 49.163a. Vocational Administrator Director Professional Development.

Persons who obtain a Vocational Administrator Certificate after ____ (*Editor's Note: The blank refers to the effective date of adoption of this proposal.*) shall thereafter present to the Secretary evidence of satisfactory participation in continuing professional development every 5 years as provided in § 49.17 (relating to continuing professional development).

§ 49.164. [**Vocational Administrative Director II**] (Reserved).

[**A permanent certificate shall be issued to applicants who have satisfactorily completed three years of administrative experience on a Vocational Administrative Director I Certificate attested to by the chief school administrator of the approved public or nonpublic school entity in which the most recent service was performed.**]

Subchapter D. OUT-OF-STATE APPLICANTS

§ 49.171. General requirements.

* * * * *

(c) [**Also, the**] The Department may issue the comparable Pennsylvania [**Level I**] Certificate to an applicant who, lacking institutional recommendation:

(1) Has been legally certificated by another state at a level comparable to the [**Level I**] Pennsylvania certificate sought.

* * * * *

§ 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 shall

(1) [**Either:**

(i)] Have completed a Pennsylvania approved graduate level program of educational administrative study [**minimally approximating two full academic years**] for the preparation of chief school administrators[;], or **its equivalent**

[**(ii) Have been prepared through an out-of-State graduate level program equivalent to those approved in this Commonwealth.**]

(2) Have received the recommendation of the preparing institution for certification as a chief school, district level, administrator [**or assistant chief school, district level, administrator**], **if applicable.**

* * * * *

(b) Department evaluation will comply with the following:

(1) [For persons prepared at colleges and universities, the] The adequacy of preparation will be determined by the Department.

(2) The qualifying educational service to meet experience requirements out-of-[state] State will be determined for all applicants by the Department.

* * * * *

(c) A commission shall be issued to a person holding [an appropriate] a letter of eligibility upon election as a district superintendent or assistant district superintendent by the respective local board of school directors.

(d) The Department may issue the appropriate letter of eligibility for consideration for appointment as a district-level administrator to an applicant who presents equivalent education and experience to that in subsection (a).

Subchapter E. COMMISSIONS AND CERTIFICATES FOR INTERMEDIATE UNITS

§ 49.182. Letter of eligibility [— executive director].

(a) A letter of eligibility to serve as an intermediate unit executive director or assistant executive director will be issued in lieu of a certificate by the Department to a candidate who has obtained or achieved:

(1) An earned doctorate or a master's degree plus 40 hours of graduate study successfully completed at a State approved college or university or its equivalent.

(2) Who has had [six] 6 years of experience in education work at the elementary, secondary, county office, intermediate unit, [state] State department of education, or State approved college or university level. In [three] 3 of these [six] 6 years the applicant shall have served successfully in a management or supervisory capacity.

(b) The appropriateness of this experience and [his] the candidate's academic preparation will be determined by the Department.

(c) A commission will be issued to a person holding an appropriate letter of eligibility upon [his] the candidate's election as the executive director or assistant executive director of an intermediate unit by its respective board of directors.

§ 49.183. [Letter of eligibility—assistant executive director] (Reserved).

[(a) A letter of eligibility to serve as an intermediate unit assistant executive director will be issued in lieu of a certificate by the Department to a candidate who has obtained or achieved:

(1) An earned doctorate or a master's degree plus 40 hours of graduate study successfully completed at a State approved college or university.

(2) Who has had six years of experience in education work at the elementary, secondary, county office, intermediate unit, state department of education, or State approved college or university level.

(b) The appropriateness of the applicant's experience and academic preparation will be determined by the Department.

(c) A commission will be issued to a person holding an appropriate letter of eligibility upon his election as an assistant executive director of an intermediate unit by its respective board of directors.]

§ 49.184. [Intermediate Unit Program Specialist Certificates] (Reserved).

[(a) Certificates for the employment of program specialists will be issued by the Department at the request of an intermediate unit board of directors when the applicant meets requirements established by a job specification proposal which has been approved by the Department; such certificates shall not be transferable for use in another intermediate unit.

(b) Intermediate Unit Program Specialist Certificates may be issued only for an area of professional service in which a certificate does not exist.

(c) The provisions of this section and of § 49.62a (relating to school program specialist certificate) are mutually exclusive, neither related nor interchangeable.]

Subchapter F. LETTERS OF EQUIVALENCY FOR PAY PURPOSES

§ 49.191. Letters of Equivalency.

(a) A Letter of Equivalency shall be issued for salary purposes only, subject to the following terms and conditions:

(1) 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 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 at a college or university approved to offer graduate work. A maximum of 18 of the credit requirement may be satisfied through inservice programs approved by the Secretary of Education for meeting master's equivalency requirements.

(2) The Letter of Equivalency for Baccalaureate Degree is issued to holders of Vocational Instructional I, Vocational 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 may be satisfied, in full or in part, through inservice programs approved by the Secretary for meeting baccalaureate 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 inservice courses used toward the attainment of the certificate.

[Pa.B. Doc. No. 97-629. Filed for public inspection April 18, 1997, 9:00 a.m.]