

No. 1990-33

## AN ACT

SB 1518

Amending the act of December 12, 1973 (P.L.397, No.141), entitled "An act relating to certification of teachers in the public schools of the Commonwealth and creating a Professional Standards and Practices Commission," further providing for the Professional Standards and Practices Commission and for certain disciplinary proceedings; and making a repeal.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 3 of the act of December 12, 1973 (P.L.397, No.141), referred to as the Teacher Certification Law, amended December 14, 1989 (P.L.612, No.71), is amended to read:

Section 3. Professional Standards and Practices Commission.—There is hereby created a Professional Standards and Practices Commission consisting of thirteen members appointed by the Governor with the advice and consent of a majority of the members elected to the Senate. The term of office of members of the commission shall be three years **[commencing on January 1 of the year following their appointment]** *except that the terms of office of members appointed in the calendar year 1990 shall expire on the third Tuesday of January 1993.* Vacancies shall be filled for an unexpired term in the same manner as original appointments. No person shall serve for more than two consecutive terms as a member of the commission. The Governor may remove any member from the commission for misconduct or malfeasance in office, incapacity, or neglect of duty. All members of the commission shall be residents of the Commonwealth of Pennsylvania.

Section 2. Notwithstanding the repeal of other laws by the act of December 14, 1989 (P.L.612, No.71), entitled "An act amending the act of December 12, 1973 (P.L.397, No.141), entitled 'An act relating to certification of teachers in the public schools of the Commonwealth and creating a Professional Standards and Practices Commission,' further providing for the commission; and providing for the reestablishment of the commission," the Secretary of Education shall retain authority to conduct investigations and to discipline professional educators, as if those laws had not been repealed, with regard to any complaint received by the Department of Education prior to May 31, 1990. The act of December 14, 1989 (P.L.612, No.71) shall apply to disciplinary proceedings based upon complaints filed after May 31, 1990.

Section 3. Section 9 of the act of December 14, 1989 (P.L.612, No.71), entitled "An act amending the act of December 12, 1973 (P.L.397, No.141), entitled 'An act relating to certification of teachers in the public schools of the Commonwealth and creating a Professional Standards and Practices Commission,' further providing for the commission; and providing for the reestablishment of the commission," is repealed.

Section 4. Sections 2 and 3 of this act shall be retroactive to December 14, 1989.

Section 5. This act shall take effect immediately.

APPROVED—The 11th day of April, A. D. 1990.

ROBERT P. CASEY