

## No. 2012-105

## AN ACT

HB 1363

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," further providing for certain circumstances in which strikes are prohibited, for continuing professional development and for program of continuing professional development.

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

Section 1. Section 1131-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, added July 9, 1992 (P.L.403, No.88), is amended to read:

Section 1131-A. Strikes Prohibited in Certain Circumstances.—*(a) One year after a contract impasse, the Secretary of Education may request a public hearing in the school district of impasse. The public hearing process shall follow the following requirements:*

*(1) The hearing shall include testimony from the school board of the district, school district administration, the employe organization and any additional party requested by the Secretary of Education.*

*(2) The public shall have thirty (30) days to submit written testimony. Testimony may be received from experts commenting on the social, emotional and educational well-being of the students in the school district.*

*(3) Within ninety (90) days following the public hearing, the Secretary of Education shall issue a report on recommendations regarding the impasse.*

*(b) A strike must cease where the parties request fact-finding for the duration of the fact-finding. A strike must end where the parties agree to arbitration. Strikes are prohibited:*

*(1) During the period of up to ten (10) days provided for under section 1125-A(a).*

*(2) During final best-offer arbitration, including the period of up to ten (10) days after receipt of the determination of the arbitrators during which the governing body of the school entity may consider the determination.*

*(3) When the arbitrators' determination becomes final and binding.*

Section 2. Sections 1205.1(f)(1) and 1205.2(a), (f) and (n.1) of the act, amended or added June 30, 2011 (P.L.112, No.24), are amended to read:

Section 1205.1. Continuing Professional Development.—\* \* \*

(f) (1) Beginning on the effective date of this subsection, the requirements under **[this section] subsections (a), (b), (c), (c.1), (c.2), (c.3), (c.4), (d) and (e)** shall be suspended until June 30, 2013.

\* \* \*

Section 1205.2. Program of Continuing Professional Education.—(a) A continuing professional education program is hereby established for professional educators, the satisfactory completion of which is required to

maintain active certification. Except as provided in subsection [(j.1)] (n.1), the continuing professional education program shall require the satisfactory completion of continuing professional education every five (5) years, which shall include:

- (1) six (6) credits of collegiate study;
- (2) six (6) credits of continuing professional education courses;
- (3) one hundred eighty (180) hours of continuing professional education programs, activities or learning experiences; or
- (4) any combination of collegiate studies, continuing professional education courses, or other programs, activities or learning experiences equivalent to one hundred eighty (180) hours.

\* \* \*

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

\* \* \*

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

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

\* \* \*

Section 3. This act shall take effect immediately.

APPROVED—The 5th day of July, A.D. 2012

TOM CORBETT