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*Senate of Pennsylvania*

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June 9, 1997

John R. McGinley, Chairman  
Independent Regulatory Review Commission  
14th Floor, Harristown 2  
333 Market Street  
Harrisburg, PA 17101

RE: IRRC Regulation #6-258  
Title 22-Chapter 49  
Certification of Professional  
Personnel

Dear Chairman McGinley:

Members of the Senate Education Committee have received, considered and held a public hearing on the proposed State Board Regulation #6-258. Chapter 49 regulations define the basic requirements for teacher preparation, certification and continuing professional development. The purpose of the changes in Chapter 49 is to strengthen teacher education programs. This is the standard against which such changes should be judged. Improving teacher education is key to improving the quality of education in the schools of the Commonwealth.

One of the fundamental problems with the Chapter 49 regulatory changes is the application of such changes. Every professional has an obligation to continually seek knowledge to improve their performance. No where is this obligation more important than in the classroom. The basis of the State Board of Education's decision regarding the inapplicability of the requirements to renew certification [see 49.11 (a) and 49.17 (c)] for the current work force is not clear. Senator Piccola shares this concern, as is clearly demonstrated in his comments which were forwarded to the committee.

Although this area has been debated in the past, it is worthwhile to consider a way in which these regulations may be applicable to the current work force. The time lag involved in making these regulations meaningful should be carefully weighed against the potential costs of such a requirement. The State Board should consider other strategies which allow the requirements to renew certification to be phased in with the current work force.

The State Board should reexamine the rigor of the requirements in section 49.16 to renew certification. Recent Senate legislation has suggested more rigorous requirements than those contained in the proposed regulation but allows latitude in the type of activities by which the requirements may be met. This is an area that should be reconsidered.

The definition in section 49.1 under "induction plan" should be amended to change "teaching" profession to "education" profession to be consistent with the language describing a "teacher or educational specialist" in this section.

In section 49.13 (b) (12), the "establishment of equivalencies" language should be deleted. Reference to these equivalencies elsewhere in the draft ought to be deleted. This language is counter to the demonstrated need for certification and to the desire to raise the standard for teacher education. Further, the current Chapter 49 requirements provide opportunities for uncertified persons to teach in the public schools of the Commonwealth through the use of the "intern" certificate, the "emergency" certificate and experimental programs. The experimental programs were deleted in the revisions and this is a change that ought to be reconsidered.

Language in section 49.13 (b)(13) relating to the ability of the Secretary to waive requirements contained in the chapter should be eliminated. If a waiver is needed, then specific criteria ought to be established for when such a waiver might occur. The continuation of the intern and emergency certificates helps to address this need for flexibility.

In section 49.17 (c)(1), there is a requirement that courses taken for continuing professional development be "in the areas of assignment and certification." As stated in this section, this provision may be too limiting and so requires further definition. Teachers should know how these courses will be judged to be in the areas of assignment and certification and who will make this decision.

Section (49.18a.3) needs to be amended to read: "The assessment program will be developed in consultation with teachers, administrators, teacher educators or educational specialists with relevant certification." This change is also necessary for consistency and to clarify that education specialists are not always teachers, but that they do perform educational services of importance.

Section 49.65 defines the criteria for establishing teaching reciprocity with other states and recognizes those who attain certification by the National Board for Professional Teaching Standards. This change is supported and should be retained in the regulations. Administrative reciprocity should be examined as well.

Section 49.71 should retain language regarding an applicant's completion of approved programs of teacher education. Reference to "equivalent" should be deleted. The way in which the standards which evolve from the principles established in section 49.81 are assessed should be addressed.

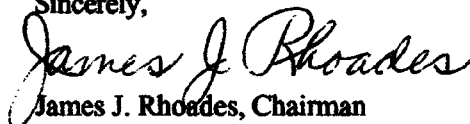
Section 49.103(b)(2) requires an applicant for an Education Specialist II to complete three years of satisfactory teaching with an Education I Certificate. Senator O'Pake's comments point out that this presents some confusion because the Education I Certificate is not a teaching certificate and would not apply to school psychologists. Senator O'Pake suggests that the word "teaching" found in this section be replaced with the word "service" as it was stated in the previous version of Chapter 49.

Section 49.121's reference to "or a similar combination of experience and education" needs to be reconsidered. The intent of this section is not clear and seems contrary to the tone of the regulations which strive to retain high standards and more rigorous assessment.

The elimination of the Vocational Supervisor Certificate in section 49.161 and 49.162 has created concern and requires a re-evaluation. During the Senate Education Committee's Public Hearing on this regulation, testimony was presented noting that the supervision of vocational-technical education programs requires a specialized set of skills uniquely different from other education programs. The vocational supervisor promotes the integration of academic and vocational education, according to the testimony. Vocational teachers are provided with different certification than other teachers. The same standard should apply for vocational supervisors.

The Committee appreciates the opportunity to comment on these important regulations.

Sincerely,



James J. Rhoades, Chairman  
Senate Education Committee

JJR/my

cc: Senate Education Committee Members  
Representative Jess Stairs  
Representative Ronald R. Cowell  
The Honorable Eugene Hickok  
Dr. Peter Garland