



**Testimony to the State Board of Education
On
Proposed Revisions to Chapter 49 Regulations**

**Presented by
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Good afternoon. I am John Callahan, and I am the chief advocacy officer for the Pennsylvania School Boards Association. We appreciate this opportunity to present comments concerning the State Board of Education's proposal to amend the Chapter 49 regulations for certification of professional personnel.

The changes being proposed now and in subsequent drafts will have a major impact on teachers and teacher candidates, teacher preparation institutions, school boards and administrators, and of course, parents and students. From the school board perspective, PSBA believes that any changes to Chapter 49 must create and allow for flexibility so that school districts will be able to hire teachers and administrators in a manner that meets their local staffing needs and resources, as well as the needs of their students.

PSBA generally supports the changes proposed in this initial draft to align the regulations with changes in statute and current practice. The draft also reflects growing concerns with the sharp decline in the number of individuals entering teacher preparation programs and places new responsibilities on our preparing institutions to provide information that will provide insight into addressing those challenges. PSBA supports the emphasis to strengthen the quality of teacher preparation programs and to support new teachers.

As the proposal moves through the rulemaking process and continues to be further amended, PSBA will provide additional comment.

At this time, we would like to address the following issues:

PSBA supports the addition of non-cognitive skills training to be included in teacher preparation and induction requirements and offers additional suggestions.

The requirement for non-cognitive skills to be included in teacher preparation and induction standards and programs as defined under the proposal is a welcome and necessary update to Chapter 49. New educators should have an understanding of culturally responsive and trauma-informed teaching practices.

PSBA recognizes that the definition of non-cognitive skills in the draft also includes references to "professionalism" and "professional ethics" and suggests that the definition be expanded to include knowledge of professional conduct as it relates to appropriate student-teacher boundaries, mandatory reporting of sexual misconduct, and the educator discipline system.

As teachers continue to receive more detailed training (as required by Act 126 of 2012 training) regarding the recognition and reporting of sexual misconduct and maintaining appropriate student-teacher relationships, PSBA believes it is important for these topics to be included under the definition of non-cognitive skills and included within teacher preparation programs.

Section 49.14(4)(viii): PSBA supports the concept of improving teacher candidate field experiences but has concerns with proposed language under Section 49.14(4)(viii) as it applies to school district employees who are supervising student teachers.

The proposed revisions give the secretary of education expanded authority to determine the number of hours required for field experiences of teacher candidates. Current requirements regarding field experiences for student teaching are set more generally within Chapter 49, while the specific number of required student teaching hours and other rules are established under the Chapter 354 standards. The proposal would authorize the secretary to bypass the standards and change the hour requirements and other rules without amending Chapter 354.

In addition, the proposal allows the secretary to establish minimum requirements for, and the number of supervising teachers in school buildings. The draft allows the secretary to impose additional rules beyond those currently required under Chapter 354 at any time at his discretion.

Certainly, PSBA appreciates the concept of improving the clinical training experiences for student teachers. However, we believe that the language as drafted is vague and raises questions and concerns:

- The proposed language usurps the provisions of Chapter 354, allowing the secretary to change the requirements impacting teacher preparation institutions, teacher candidates and school districts at his or her discretion.
- With the student teaching requirement set under Chapter 354 at 12 weeks, and college semesters typically set at 15 weeks, what type of extension would be mandated? What are the practical implications of extending the requirement beyond 12 weeks?
- How would an extension of the student teaching period impact school districts who accept placements of student teachers?
- What new types of requirements can the secretary impose on teachers working in school entities who will be supervising student teachers?
- This proposal allows the secretary to change the number/level of supervising teachers in a school building and removes the authority of school districts to make such staffing determinations.

While we do not take a position specifically on issue of lengthening the required number of weeks of student teaching, we believe that these questions should be addressed. We also believe that Chapter 49 should not address decisions regarding school district employees who are supervising teacher candidates. Such decisions should be left to the administrators of those districts and continue to be done in compliance with existing provisions of Chapter 354.

Therefore, PSBA recommends the **deletion** of these last two sentences of the proposed Section 49.14(4)(viii):

Additional requirements for supervising teachers, beyond the minimum required in § 354.25(f)(2), shall be determined by the secretary in consultation with the State Board. Requirements for supervising teachers in fields that are customarily staffed at one per building or at similarly low levels not addressed in § 354.25 shall be determined by the Secretary in consultation with the State Board.

Section 49.14(4)(ix): Under Section 49.14(4)(ix), draft changes appear to extend teacher induction programs to two years, but the language in the draft is unclear and inconsistent with current provisions for one-year induction programs under Section 49.16. The regulation should be clear; additionally, a cost analysis should be done to determine the financial investment needed if the intention is to create a new unfunded mandate.

The proposed revisions under Section 49.14(4)(ix) require institutions and alternative program providers to provide ongoing support to new teachers for a minimum of two years. However, language under Section 49.16 refers to mandated induction plans developed by school districts for *first-year* teachers. Section 49.16 also refers to mentor relationships between the *first-year* teacher and the induction team.

The inconsistencies between these two sections of Chapter 49 make it unclear as to whether the State Board is intentionally extending the required induction period from one to two years, or if the regulation is calling for some other type of support to be provided to new teachers for a second year following the formal induction period.

PSBA understands the benefits for newly employed teachers to receive strong support as they move from preparation to practice. While the concept is worthy, we note that if it is the intention of the regulation to extend the required induction period from one to two years, this creates a new mandate for school districts. Since Pennsylvania does not provide any dedicated funding for induction activities, PSBA suggests that a cost analysis be done to determine the financial investment needed for the expansion. The analysis should be figured and made available before the new mandate be added to Chapter 49.

However, if the intention of the board is not to extend the formal, mandated induction period to two years, then the proposed revisions to Section 49.14(4)(ix) must clarify that the additional year of support from the institutions does not change the current one-year requirement of school districts.

Section 49.14(4)(ix): Also, under Section 49.14(4)(ix), PSBA supports changes that would require support from institutions to be related to the local school district's induction plan and suggests modifications to clarify and strengthen the proposed language.

PSBA believes that language needs to be added to clarify and tighten the provision to ensure that the school district is fully aware of and approves the planned support given to new teachers by the institution/alternative program provider.

We suggest the following **amendment** (noted in bold):

(ix) Institutions and alternative program providers provide ongoing support for a minimum of two years to novice educators in partnership with, **and approval by**, local education agencies during their induction period, including observation, consultation and assessment. Support during the induction period will include support related to the local education agency's induction plan.

Section 49.16(c): PSBA supports the concept of requiring PDE guidelines to include cognitive and non-cognitive competencies but has concerns with proposed language under Section 49.16(c).

As written, the determination of new rules or amendments to the existing guidelines is done solely by the secretary without stakeholder input. Since compliance with the new guidelines will be a requirement for school districts, PSBA believes that that language should allow the guidelines to be drafted following input from stakeholders, rather than giving the secretary the sole authority regarding the guidelines.

With this in mind, we suggest the following **amendment** (noted in bold):

(c) Induction plan guidelines shall include cognitive and non-cognitive competencies as determined by the Secretary, **following an opportunity for stakeholder input.**

Section 49.85: Grade/age spans for certificates

We understand that the State Board is not addressing substantive changes to the scope of instructional certificates under Section 49.85 at this time, other than to include the changes regarding special education certificates as changed by Act 82 of 2018.

We support the Board's decision to defer action in acknowledgement that the General Assembly will be making recommendations on this very important issue. Certainly, it will be beneficial to everyone if there is agreement on what the scope of certificates will be under the new Chapter 49. It is our hope that an agreement can be easily reached and that changes to the regulation will be made accordingly following input from the General Assembly.

As a matter of record, PSBA supported the changes made by the General Assembly to the special education certificates as authorized under Act 82 of 2018. PSBA also supported legislation introduced in the last session (House Bill 1386 as it was originally introduced) that would have returned the scope of certificates to the grade levels/age spans as they generally existed prior to 2013.

We believe a return to this scope will provide more flexibility to schools in teacher placement and address the practical considerations that must be met in assigning and reassigning staff. It is important for school administrators to have the flexibility to be able to quickly and efficiently handle necessary changes in staffing assignments due to personnel issues such as medical and parental leaves, changes in student populations within a building, and other matters. In addition, a return to the former scope would create certificates that are better aligned with how school buildings are currently organized in Pennsylvania, particularly at the elementary level.

Technical edits needed

The following are technical edits needed to the draft and do not create any substantive changes to the regulation.

Section 49.14(4)(i)

The word "in" before the word "coursework" should be deleted. See bold print (our emphasis) in the fourth line:

(i) Institutions and alternative program providers develop clear goals and purposes for each program, ~~including attention to professional ethics and responsibilities.~~ As determined by the Department, all educator certification preparation programs which

shall include competencies in the following areas in coursework and field experiences that address cognitive and non-cognitive skills. The Department will identify these competencies and develop associated standards.

Section 49.31

The word “in” should not be struck. See bold print (our emphasis) in the second line:

The Department may issue an emergency, Long-Term or Day-to-Day Substitute Permit for service ~~in the public schools, at the request of the employing public school entity~~ the public schools, an approved private school or an eligible provider setting as defined in Title 22, Chapter 405.2, at the request of the employing entity, to an applicant who is a graduate of a 4-year college or university to fill a vacant position or to serve as a long-term or day-to-day substitute teacher, when a fully qualified and properly certificated applicant is not available. The permit is issued on the basis of terms and conditions agreed upon between the requesting public school entity and the Department. Each July, the Department will report to the Board the number and nature of emergency, Long-Term and Day-to-Day Substitute Permits issued during that year. A long-term substitute permit may be issued only after the position has been posted a minimum of 10 days on the school entity’s website and no qualified candidate has been identified.

49.65(a)(3)

The term “out-of-state” should be hyphenated. See bold print (our emphasis) as follows:

(3) Received the recommendation of the preparing institution for the **out of state** certificate issued ~~subject or area to be taught.~~

49.65(a)(4)(d)

The word “bachelor’s” in the last sentence should be “baccalaureate” for continuity with the chapter. It appears in the draft as follows: See bold print (our emphasis) in the last line:

(d) Candidates successfully completing other National teacher training programs that require a candidate to demonstrate mastery of the certification ~~subject~~ area to be taught and professional knowledge needed for classroom effectiveness as approved by the Board, will be certified to teach in this Commonwealth, provided the approved program includes 1 year of intensive supervision in an internship program approved by the Secretary and the teacher has satisfied the basic certification requirements of the act (see 24 P. S. § § 12-1202 and 12-1209), such as having good moral character, being at least 18 years old and having a **bachelor’s** degree.

Conclusion

PSBA commends the State Board for its work to improve the quality of teacher preparation programs, which will ultimately impact student achievement. Since Chapter 49 has not been modified in several years, we understand the extensive amount of work necessary to update these regulations to reflect years of legislative changes and current practice, as well to make substantive changes to improve the system.

We thank you for this opportunity to offer comments on this first draft and look forward to our continued work with you on proposed changes to the Chapter 49 regulations.