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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 798 Session of  
2023

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INTRODUCED BY MERCURI, SCHLEGEL CULVER AND PICKETT,  
APRIL 3, 2023

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REFERRED TO COMMITTEE ON EDUCATION, APRIL 3, 2023

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AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," in certification of teachers, further  
6 providing for continuing professional development; providing  
7 for access to advanced placement courses for all students;  
8 establishing the Advanced Placement Teacher Training Program;  
9 and imposing duties on the Department of Education and on  
10 school entities.

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

13 Section 1. Section 1205.1(c.1)(3) of the act of March 10,  
14 1949 (P.L.30, No.14), known as the Public School Code of 1949,  
15 is amended to read:

16 Section 1205.1. Continuing Professional Development.--\* \* \*

17 (c.1) The continuing professional education plan shall  
18 specify the professional education needs that will be met by  
19 completion of each continuing professional education option and  
20 how it relates to areas of assignment and certification or  
21 potential administrative certification. The options may include,  
22 but shall not be limited to:

1 \* \* \*

2 (3) Other programs, activities or learning experiences taken  
3 for credit or hourly, to include:

4 (i) curriculum development and other program design and  
5 delivery activities at the school entity or grade level as  
6 determined by the school entity and approved by the board of  
7 directors;

8 (ii) participation in professional conferences and  
9 workshops;

10 (iii) education in the workplace, where the work relates to  
11 the professional educator's area of assignment and is approved  
12 by the board of directors;

13 (iv) review, redesign and restructuring of school programs,  
14 organizations and functions as determined by the school entity  
15 and approved by the board of directors;

16 (v) in-service programs that comply with guidelines  
17 established by the department;

18 (vi) early childhood and child development activities for  
19 professional educators whose area of assignment includes  
20 kindergarten through third grade;

21 (vii) special education activities for professional  
22 educators whose area of assignment includes students with  
23 special needs;

24 (viii) successful completion of department training for  
25 service as a Distinguished Educator if the professional educator  
26 participates in and completes at least one assignment in the  
27 Distinguished Educators Program;

28 (ix) other continuing professional education courses,  
29 programs, activities or learning experiences sponsored by the  
30 department; [or]

1 (x) visits by educators to a manufacturing workplace for  
2 orientation and demonstrations to give the professional educator  
3 a greater understanding of job opportunities in manufacturing  
4 for students[.]; or

5 (xi) providing opportunities for educators to serve as  
6 advanced placement course coaches to support teachers in  
7 delivering high-quality advanced placement course instruction.

8 \* \* \*

9 Section 2. The act is amended by adding an article to read:

10 ARTICLE XVII-E

11 ACCESS TO ADVANCED PLACEMENT

12 COURSES FOR ALL STUDENTS

13 Section 1701-E. Scope of article.

14 This article relates to access to advanced placement courses  
15 for all students.

16 Section 1702-E. Definitions.

17 The following words and phrases when used in this article  
18 shall have the meanings given to them in this section unless the  
19 context clearly indicates otherwise:

20 "Advanced placement course." A program authorized by the  
21 College Board that allows a student to study college-level  
22 subjects while enrolled in a school and to receive advanced  
23 placement and college credit for earning a qualified score on  
24 the course-related advanced placement examination.

25 "Core academic areas." Mathematics, English language arts,  
26 science, social science and computer science.

27 "Course access." Expenses related to offering an advanced  
28 placement course.

29 "Department." The Department of Education of the  
30 Commonwealth.

1 "Eligible school entity." A school entity that does not have  
2 at least one advanced placement course in each of the core  
3 academic areas, or will no longer have an advanced placement  
4 course in each one of the core academic areas due to the  
5 retirement, loss of a teacher or due to retraining needs for a  
6 teacher who teaches an advanced placement course.

7 "Eligible teacher." A teacher who is certified in the  
8 subject area of the advanced placement course that the teacher  
9 will be teaching. In the case of a computer science course, the  
10 term means an individual who has received professional  
11 development to teach computer science even if the individual is  
12 certified in a different subject area.

13 "Institution of higher education." The term includes any of  
14 the following:

15 (1) A community college operating under Article XIX-A.

16 (2) A university within the State System of Higher  
17 education under Article XX-A.

18 (3) A State-related institution as defined in section  
19 1502-A.

20 (4) Any accredited nonprofit public, private or  
21 independent college or university.

22 "Poverty level." The percentage of students in a school  
23 entity eligible for free or reduced-price lunch.

24 "Program." The Advanced Placement Teacher Training Program  
25 established under section 1703-E(a).

26 "School entity." A school district, intermediate unit, area  
27 career and technical school, regional charter school, charter  
28 school or cyber charter school.

29 "Teacher training entity." An institution of higher  
30 education, intermediate unit or organization endorsed by the

1 College Board to train eligible teachers to teach advanced  
2 placement courses.

3 "Virtual learning." An instructional program that uses  
4 technology to provide curriculum and instruction to students  
5 through the Internet or other electronic means.

6 Section 1703-E. Advanced Placement Teacher Training Program.

7 (a) Establishment.--The Advanced Placement Teacher Training  
8 Program is established in the department to train teachers in an  
9 eligible school entity to teach advanced placement courses in  
10 the core academic areas.

11 (b) Purpose.--The purpose of the program is to provide  
12 access to advanced placement courses in the core academic areas  
13 for students by eligible teachers at all schools that do not  
14 currently provide the courses.

15 (c) Teacher training and course access.--The following shall  
16 apply:

17 (1) A school entity that has an advanced placement  
18 course in one or more of the core academic areas but not in  
19 all core academic areas shall be eligible to have a teacher  
20 trained:

21 (i) in those core academic areas in which the school  
22 entity does not currently have an advanced placement  
23 course;

24 (ii) if a teacher may need to be retrained after the  
25 initial three-year agreement under section 1704-E(5); or

26 (iii) in a school entity that wants to add  
27 additional course sections to service additional  
28 students.

29 (2) A school entity shall be eligible to use available  
30 funds for course access costs that correspond to the subject

1 in which the teacher was trained as part of the program.

2 (d) Limitation.--No more than one teacher in a core academic  
3 area of an eligible school entity shall be trained under the  
4 program except if the school entity demonstrates the need for  
5 additional educators using guidelines established by the school  
6 entity under section 1704-E(6).

7 (e) Joint application.--More than one eligible school entity  
8 may apply jointly to the program to train a teacher in an  
9 advanced placement course instruction if the teacher will  
10 provide instruction in more than one school entity through  
11 classroom instruction, virtual learning or a blended learning  
12 model.

13 (f) Publication.--A school entity that offers advanced  
14 placement courses to students under the program shall publish on  
15 the school's publicly accessible Internet website the advanced  
16 placement courses offered and notify parents of the availability  
17 and guidelines.

18 Section 1704-E. Application.

19 The application for an eligible school entity seeking funding  
20 from the program must include the following:

21 (1) The core academic areas that currently have advanced  
22 placement courses in the school entity.

23 (2) The core academic areas that do not have advanced  
24 placement courses in the school entity.

25 (3) The following information:

26 (i) The names of the eligible teachers.

27 (ii) The school where the teachers are teaching.

28 (iii) The core academic areas with advanced  
29 placement courses in which the teacher would provide  
30 instruction.

1           (iv) Whether the instruction will be in a classroom,  
2           virtual learning or through a blended learning model.

3           (4) The names of the eligible teacher trainer that would  
4           provide training to teach advanced placement courses.

5           (5) An agreement to offer the advanced placement courses  
6           for students in grades nine through twelve for at least three  
7           years.

8           (6) Guidelines that the school entity will use to  
9           determine which students may be eligible to enroll in an  
10           advanced placement course, subject to the following:

11           (i) In developing the guidelines, the school entity  
12           shall utilize data and information on the academic  
13           performance of students, which may include the academic  
14           performance of students on the Pre-Scholastic Aptitude  
15           Test and the Scholastic Aptitude Test in consultation  
16           with the College Board, shall eliminate barriers that  
17           restrict access to advanced placement courses for student  
18           populations that have been traditionally underserved and  
19           shall make every effort to ensure that advanced placement  
20           courses reflect the diversity of the student population.

21           (ii) The school entity may not unlawfully  
22           discriminate on any basis in enrollment of students.

23           (7) Course access costs, if any, that correspond to the  
24           teacher training.

25           (8) A statement agreeing to comply with the reporting  
26           requirement under section 1705-E.

27 Section 1705-E. Report to department.

28           For each of the core academic areas for which an eligible  
29           teacher's training was funded by the program a school entity  
30           shall annually report to the department the following:

1           (1) Number of students who took advanced placement  
2 courses disaggregated by race and ethnicity.

3           (2) Grade levels in which advanced placement courses are  
4 taught.

5           (3) Number of students who took advanced placement  
6 examinations disaggregated by race and ethnicity.

7           (4) Number of students who scored a three or higher on  
8 advanced placement examinations.

9           (5) Number of teachers who taught advanced placement  
10 courses within the school entity.

11 Section 1706-E. Powers and duties of department.

12           (a) General rule.--The department shall provide guidance  
13 necessary for the implementation of this article, including the  
14 following:

15           (1) Certify teacher training entities, that are endorsed  
16 by the College Board, that may provide training to teachers  
17 to teach advanced placement courses in the core academic  
18 areas. In certifying teacher training entities, the  
19 department shall ensure that the training locations and times  
20 are geographically accessible for teachers from eligible  
21 school entities to attend or are administered in a manner  
22 that is not in person.

23           (2) The department shall ensure that training provided  
24 by teacher training entities provides eligible teachers with  
25 the necessary content, knowledge and instructional skills to  
26 prepare students for success in advanced placement courses  
27 and examinations.

28           (b) Report.--Beginning at the end of the first year of the  
29 program and annually thereafter, the department shall issue a  
30 report to the General Assembly on the program that includes:



1           (1) The number of teachers who received training and  
2 retraining in advanced placement instruction in school  
3 entities in each of the core academic areas.

4           (2) The number and percentage of high schools that offer  
5 advanced placement programs in all core academic areas.

6           (3) The number and percentage of high schools that offer  
7 advanced placement courses in each of the core academic  
8 areas.

9           (4) The number and percentage of students who took  
10 advanced placement courses at school entities in each of the  
11 core academic areas disaggregated by race and ethnicity.

12           (5) The number and percentage of students who scored a  
13 three or higher on an advanced placement examination at  
14 school entities in each of the core academic areas.

15           (6) The names of the school entities and high schools  
16 that do not offer advanced placement courses.

17           (7) The number of teachers who were trained outside the  
18 core academic areas teaching other advanced placement  
19 courses.

20           (8) Course access costs.

21 Section 1707-E. Funding for teacher training entities.

22           To the extent money is available for the program, the  
23 department shall allocate money to certified teacher training  
24 entities based on teacher attendance upon completion of the  
25 training program.

26 Section 1708-E. Program funding.

27           (a) Funding.--Funding for the program shall be made from  
28 available Federal funds, annual appropriations made by the  
29 General Assembly to the department for the purpose of the  
30 program or private sources.

1       (b) Priorities.--In the event of insufficient funds for the  
2 program in any fiscal year, the department shall prioritize  
3 funding of eligible school entities based on the poverty level  
4 of the school entity.

5       (c) Training funding range.--In consultation with the  
6 College Board, the department shall develop a teacher training  
7 funding range for teacher professional development and course  
8 access costs based on the course.

9       Section 3. This act shall take effect immediately.