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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 393 Session of  
2023

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INTRODUCED BY SCHWANK, KEARNEY, FONTANA, HUGHES, HAYWOOD, KANE,  
DILLON, STREET, CAPPELLETTI, COSTA, L. WILLIAMS AND SAVAL,  
FEBRUARY 21, 2023

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REFERRED TO EDUCATION, FEBRUARY 21, 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 professional employees, further  
6 providing for qualifications; and, in certification of  
7 teachers, further providing for State certificates.

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

10 Section 1. Sections 1109(a) and 1202 of the act of March 10,  
11 1949 (P.L.30, No.14), known as the Public School Code of 1949,  
12 are amended to read:

13 Section 1109. Qualifications.--(a) Every teacher employed  
14 to teach in the public schools of this Commonwealth must be a  
15 person of good moral character, must be at least eighteen years  
16 of age, and must be a citizen of the United States: Provided,  
17 That citizenship may be waived:

18 (1) in the case of exchange teachers not permanently  
19 employed, and teachers employed for the purpose of teaching  
20 foreign languages, including special teachers who speak the

1 idiomatic or colloquial language of immigrants residing in the  
2 school district, and employed for the purpose of easing the  
3 transition period of such immigrants[.]; or

4 (2) if the individual holds a valid immigrant visa, work  
5 visa or a valid employment authorization document which allows  
6 the individual to work in the United States.

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8 Section 1202. State Certificates.--State certificates shall  
9 be issued as herein provided. Each such certificate shall set  
10 forth the branches which its holder is entitled to teach. No  
11 teacher shall teach, in any public school, any branch which he  
12 has not been properly certificated to teach.

13 A certificate to teach shall not be granted or issued to any  
14 person not a citizen of the United States, except in the case of  
15 exchange teachers not permanently employed and teachers employed  
16 for the purpose of teaching foreign languages[.

17 In the case of a resident foreign national holding an  
18 immigrant visa who has declared, in writing, to the Department  
19 of Public Instruction the intention of becoming a citizen of the  
20 United States, such person shall be eligible for a provisional  
21 college certificate.] or an individual who holds a valid  
22 immigrant visa, work visa or a valid employment authorization  
23 document which allows the individual to work in the United  
24 States.

25 Section 2. This act shall take effect immediately.