

ACT 48 - Q & A FOR NEW TEACHERS

- **What is Act 48?**

Act 48 is a law mandating all professionally certified educators in the Commonwealth maintain "active" certificates by complying with prescribed continuing professional education activities every five calendar years.

- **Who is affected by Act 48?**

Everyone who holds a Level I or II professional education certificate issued by the Pennsylvania Department of Education.

- **When does this law take effect?**

July 1, 2000 – for every certified professional in the state. Thereafter, for those just receiving certification, the five-year period will begin with the effective date of the initially issued certificate.

- **What happens if a certificate holder does nothing to comply with Act 48?**

If the individual is a professional or temporary professional employee of a school entity, the individual cannot work once the certificate is rendered inactive and, for all intents and purposes, loses his/her job since the School Code prohibits working on an expired license. If the individual is not employed, the certificate becomes inactive and the holder is disqualified from being *employed* as a professional or temporary professional until the active status is returned. However, the law does permit this individual to perform as a temporary substitute for up to 90 days.

- **If an individual holds a Level I certificate, is he/she required to maintain its active status and convert the certificate as well to a Level II?**

Yes. 6 credits of the 24 needed to convert from a Level I or a Level II can be applied to meeting Act 48 requirements and be used as well to convert the certificate from a Level I to a Level II.

- **Do I have a choice as to whether to maintain an active certificate or apply for inactive status?**

If you are employed as a professional or temporary professional employee of a public school entity (district, IU or AVTS), you do not have a choice. You must maintain an active certificate.

- **What activity options does the law permit?**

6 Credits of collegiate credit – graduate or undergraduate; or 6 credits of continuing professional development; or 180 hours of experiences, programs and/or activities or any combination of three options.

- **If I accrue credits and hours, how do I calculate my compliance status?**

The law mandates that 30 hours of experiences, programs and/or activities are equal to 1 continuing professional development credit.

- **Will professional certificate holders be able to access their certificate status?**

Yes. By contacting the Bureau of Teacher Preparation and Certification through its Voice Response Unit 717-787-2967 or, after July 1, 2000, through the web site (www.pde.psu.edu).

- **Is it true that the Pennsylvania Department of Education will provide at least 40 hours of Continuing Professional Education free each year?**

Yes. The law requires it. This year educators will be able to accrue CPE hours in special education, safe schools and reading.

- **Will professional educators be informed about the status of their mandate compliance?**

Yes, at least 12 months prior to the end of the five-year period, the Department will notify both the educator and the employing entity of the status. Certificate holders are responsible for maintaining current address information with PDE.

- **Can credits earned for Letter of Master's / Bachelor's Equivalency be applied toward the requirements of Act 48?**

Yes, but only *collegiate* credits or *PDE approved in-service credits* as specified under Chapter 49 may be used. Community College credits which may be applicable to meeting the CPE mandate cannot be applied to meeting the credit requirements for the Letters (previously called Masters and Bachelors Equivalencies).

- **Where can I get a copy of Act 48 and the Guidelines?**

These documents can be procured from the PDE web site at www.pde.psu.edu. PSEA is providing the same information to members upon request from the Professional Learning Exchange and its web site, www.psea.org.

- **Can credits and hours earned prior to July 1, 2000 be accepted to comply with Act 48 provisions?**

Collegiate credits and PDE-approved in-service credits earned January 1, 2000 and after will be accepted. *Hours will not.*

- **If I am retired or am not employed can I let my certificate's active status expire, and still be hired by public schools to do substitute work?**

Yes. The law permits anyone with an "inactive" status certificate to work as a "temporary substitute" for no more than 90 days in a given school year.

WESTERN REGION - PSEA

10 S. 19th Street, Pittsburgh, PA 15203

800-222-7732 / 412-381-2400 / FAX – 412-432-2034

- **Who can be an approved provider of Continuing Professional Education?**

PDE and your school entity are automatically approved providers. Everyone else must either apply for this status to the state or be stipulated by the local entity's plan. Coursework or hours accrued from providers not listed in your entity's plan or approved officially by PDE will not count toward meeting the compliance of Act 48.

- **What if my district's plan is not due until next September (2001) but the clock starts ticking on my active certification status July 1, 2000?**

The Pennsylvania Department of Education will permit these school entities to extend their 178 Plans so that all professional personnel will have the same number of years (5) to comply with the Act 48 mandate that those entities have whose plans are due September 2000.

- **When should our CPE Committee begin planning our three-year continuing professional plan?**

As soon as possible. Even though your plan based on Act 178 continues in effect until it expires, you should be prepared to have the new one in place – developed and approved to take its place immediately. Phase I districts must submit by 9-30-00 for three years; Phase II, by 9-30-01 for three years; Phase III, by 9-30-00 for two years.

- **Who should select these representatives?**

The law requires that the professional educators select representatives from their own ranks – teachers by teachers, education specialists by education specialists and administrators by administrators. The school board is charged to select community members – parents, business leaders and others.

- **Why is the plan important?**

The CPE plan should be recognized by its developers as a blueprint that defines and supports the standards of instructional practices of a school entity that will assist the district's students to achieve their learning goals.

- **How restrictive are the activity options open to the professional educators?**

The law is quite flexible but the forthcoming guidelines will set standards of quality that activities must meet.

- **What happens if district does not abide by the approved plan?**

In such instances, members should report this to the UniServ Representative with specifically referenced jurisdictions for the complaint. PSEA, then, will request PDE to investigate the allegations.

- **Can the CPE committee override a local board of directors' rejection of a plan and forward it directly to PDE?**

No. The law stipulates that once the plan is developed, the local board must approve it before submitting it to PDE.

- **Who decides whether the identified activities relate to areas of assignment and/or certification?**

The CPE Committee with approval of the board.

- **Suppose an educator accrues course credits or hours from providers not cited in the CPE plan or approved by the PA Department of Education?**

The credits/hours will not count.

- **I thought my Level II certificate was valid for 99 years. Why do I now have to continue to work to keep it?**

Yes, it still is yours for 99 years but Act 48 requires that you maintain professional currency with it. Remember, law can supersede law. This law now mandates an additional licensure requirement.

- **I know my school entity and the Department of Education are required to maintain records of my CPE status but should I also keep verification records for myself?**

Absolutely. Create a file and keep your own records confirming successful completion of all continuing professional development activities.

- **Does tenure have any role to play in my CPE obligations?**

No.

- **If I have an inactive certificate, can I work in the public schools of PA?**

No, not as a professional or temporary professional employee. However, the law does permit inactive certificate holders to act as temporary substitutes for up to 90 days.

- **Is there a process for reactivating one's certificate?**

Yes. The law requires the individual to show the Department evidence of having completed 30 hours (1 credit) within the immediate preceding 12 months prior to requesting activation. These credits/hours will have to meet the standards outlined in the Department's guidelines for reactivation.

- **Will the state accept credits/hours accrued before the entity's Act 48 CPE plan takes effect?**

The Department is given the option by the law. The language says the Department *may* approve credits or courses completed on or after January 1, 2000 during the initial year of the implementation of the CPE mandate. It does not say it will approve continuing professional development hours.

- **Suppose the provisions of the law conflict with our current bargaining agreement?**

The law is explicit in this regard: "Nothing contained in this act shall supersede or preempt any provisions of a collective bargaining agreement between a school entity and an employee organization in effect on the effective date of this act." All succeeding agreements, of course, will have to abide by the provisions of Act 48.