



**pennsylvania**  
DEPARTMENT OF EDUCATION

**TO:** Sandra Dungee Glenn, Chair, and Members, State Board of Education Teacher and School Leader Effectiveness Committee

**FROM:** Dr. Carissa Pokorny-Golden, Director, Bureau of School Leadership and Teacher Quality, Pennsylvania Department of Education (PDE)

**DATE:** November 9, 2022

**SUBJECT:** Progress Report on Implementation of Final-form Amendments to 22 Pa. Code Chapter 49 (Regulation #6-346)

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In an effort to streamline the delivery of information to the Board, I have provided an executive summary of each of the topics in this month's report. Following the executive summary, each topic is explained in greater detail. Please do not hesitate to contact the Pennsylvania Department of Education Bureau of School Leadership and Teacher Quality (BSLTQ) at any time should you require additional information about these or any other topics.

***Executive Summary***

PDE has been implementing the amendments to the Chapter 49 regulations ever since they were approved on April 23, 2022 upon publication in the [Pennsylvania Bulletin](#).

Updates that took immediate effect can be found on the PDE website, [Chapter 49 Implementation](#) page.

The finalization of the three sets of competencies under Section 49.14(4)(i) required a longer implementation period and are underway. To date, PDE has published two of the three sets of competencies on Structured Literacy and Professional Ethics. The Culturally-Relevant and Sustaining Education (CR-SE) competencies will be released the week of November 14. All three sets of competencies will be available [online](#) on the Program Framework Guidelines page.

As requested by the State Board of Education, continuing professional development courses for in-service educators for all three sets of competencies will also be made available to educator preparation program faculty.

**Sections 49.13(b)(4)(ii), 49.13(b)(4)(iii), 49.14(4)(i), 49.16(c), 49.17(a)(6): Competencies**

**Figure 1.** Effective Dates for Integration of Chapter 49 Competencies/Standards in the Field

Competency/ Program Framework Guidelines	Ed Prep Programs	Induction Programs	Continuing Professional Development Programs
Culturally-Relevant and Sustaining Education	2024-25 Academic Year	2024-25 Academic Year	2023-24 Academic Year
Professional Ethics	2024-25 Academic Year	2024-25 Academic Year	2023-24 Academic Year
Structured Literacy	2024-25 Academic Year	not applicable	2022-23 Academic Year*

\* Act 55 of 2022 mandates that PDE provide continuing professional development in Structured Literacy in the 2022-23 academic year. All other dates were set at PDE’s discretion once Chapter 49 became effective on April 23, 2022. The field provided input into these dates

Figure 1 shows the effective dates for integration of Culturally-Relevant and Sustaining Education (CR-SE), Professional Ethics (PE), and Structured Literacy competencies/standards by educator preparation, induction, and continuing professional development programs. CR-SE and PE apply to all three program types. Structured Literacy only applies to specific educator preparation programs (PreK-4, 4-8, English as a Second Language, Reading Specialist, and Special Education) and continuing professional development programs but not induction.

*Educator Preparation Programs (EPP).* Effective beginning in the 2024-25 academic year for all three sets of competencies. EPP administrators and faculty need to work with chief academic officers and faculty governing bodies at their institution to approve any curricular changes, which may take between 18 and 24 months. Currently, assurance forms for all three of the new competencies are being created for EPPs to complete as per Sections 49.13(b)(4)(ii) and 49.13(b)(4)(iii).

*Induction Programs.* Effective the 2024-25 academic year for CR-SE and Professional Ethics (not applicable to Structured Literacy). The Induction Plan template within the Future Ready Comprehensive Planning Portal is being updated to include assurances for CR-SE and Professional Ethics trainings. Beginning in March 2023, LEAs will be required to use the new template when submitting their Comprehensive Plans.

*Continuing Professional Development Programs (CPD).* Effective the 2022-23 academic year for Structured Literacy; effective 2023-24 academic year for CR-SE and Professional Ethics. The Professional Development Plan template within the Future Ready Comprehensive Planning Portal is being updated to include assurances for all three competencies (CR-SE, Professional Ethics, and Structured Literacy). Beginning in March 2023, LEAs will be required to use the new template when submitting their Comprehensive Plans.

PDE is in the process of working with providers to develop the CPD course modules, which will also be available to EPP faculty. At this time, a 10-hour Act 48 online course, Structured Literacy, is being created in PDE’s SAS Professional Development Center; the course will be available late December 2022 to meet the deadline specified in Act 55 of 2022. Additionally, with the imminent hiring of a Structured Literacy Content Advisor, further opportunities will be available to LEAs as they offer professional development programming in this area.

PLS 3<sup>rd</sup> Learning, our SAS provider, is working with the Center for Black Educator Development, which has an established track record for providing CR-SE professional development, to become the Subject Matter Expert in developing content for this 5-hour course. Additionally, PDE has identified a Subject Matter Expert for a 5-hour Professional Ethics course. Both the CR-SE and Professional Ethics courses will be rolled out in June 2023.

### ***Completed Tasks (Division of Certification Services)***

The following Chapter 49 tasks have been implemented at this time with updates made to the PDE Certification webpages where applicable, and to all relevant documents including Certification Staffing Policy Guidelines (CSPGs). All Certification Services staff have been trained to process new applications in accordance with Chapter 49 amendments.

**49.12 Administrative Certificate** – PDE may now issue Administrative Certificates to persons who have a minimum of 3 years of satisfactory instructional or student support experience completed in a public or private PK-12 school or accredited institution of higher education and have completed an approved program of graduate study, approved alternative program, or approved alternative route.

**49.12(4) Eligibility** – PDE may now accept a conferred graduate degree from an accredited college or university in lieu of a baccalaureate degree. A master's or higher degree will be accepted for certification in PA in lieu of a bachelor's degree, including for emergency permits.

**49.13(f) Policies** – Written procedures have been created to ensure evaluation of an applicant's preparation if application for a certificate is made after the program at a preparing college or university has closed or been discontinued. The preparing college or university will submit the names and PPIDs of candidate(s) who will complete the program after closure. When a candidate completes the competencies required, the institution contacts PDE to reopen the program in TIMS for the candidate to complete and submit their application. PDE will close the program in TIMS after the application is submitted.

**49.18(e) Assessment** - PDE may issue additional subject areas to holders of Instructional (see § § 49.82 and 49.83 relating to Instructional I; and Instructional II) or Intern (see § 49.91 (relating to criteria for eligibility)) certification in related subject areas and who pass the appropriate subject matter testing components. All Special Education areas are excluded. PDE may identify other certification areas to be excluded from eligibility based on criteria established by the Secretary in consultation with the Board. (See [Instructional Add-Ons](#))

**49.31 Criteria for Eligibility** - PDE may issue an Emergency, Long-Term or Day-to-Day Substitute Permit for service in the public schools, or an eligible provider setting as defined in § 405.2 (relating to definitions), 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 based on 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 web site and no qualified candidate has been identified. Emergency permits are now available to PreK Counts program providers.

**49.65(d) Out of State and Nationally certified applicants** - School psychologists credentialed in another state who also hold National Association of School Psychologist certification will be granted Level II certification upon application.

**49.65(f) Out of State and Nationally certified applicants** - Applicants for Educational Specialist, Supervisory, Principal, and Career and Technical Administrative Director certification can be considered based on currently holding another state's comparable credential and having two years of successful experience in the area for which they are applying. Per statute, this requirement already existed for Instructional certification.

**49.82(a) Instructional I** - The Instructional I Certificate is valid for 6 years of teaching in public schools or in eligible provider settings (as defined in § 405.2 (relating to definitions)) in this Commonwealth in the area for which it applies. It may be converted to an Instructional II Certificate as provided by § 49.83 (relating to Instructional II). Service in a PreK Counts program setting is charged against the six-year validity period of a Level I certificate.

**49.84(a) Criteria for Eligibility** - College credit acceptable for conversion to the Instructional II Certificate shall be earned at a State-approved associate degree-granting institution, baccalaureate or graduate degree granting institution. State approved community college courses are acceptable for Level II if they meet all other credit requirements.

**49.91(d) Criteria for Eligibility, 49.92 Term of Validity** - An Intern Certificate is valid for 3 service years. This professional certificate may be issued only to an applicant who is a graduate of an accredited 4-year college or university. During the first year, the applicant shall complete all tests, enroll in an authorized program, and complete a minimum of nine credits per year. The certificate requires continuing enrollment in a State-approved teacher intern program. This certificate cannot be renewed. An intern certificate can be issued for a maximum of 3 years.

**49.104(c) College Credit Acceptable for Conversion of Educational Specialist I Certificate** - Credits shall be earned subsequent to the conferring of the baccalaureate degree. Graduate credits earned prior to obtaining the Educational Specialist I certificate are considered acceptable for purposes of converting the Educational Specialist I Certificate. Credits earned prior to the issuance of the Level I can be used for transition to Level II.

**49.111(b) and (c) Supervisory Certificates** - An individual who currently holds a PA Supervisory certificate may add a Supervisory certificate in another subject area, other than special education, by either completing 12 semester-hour credits in the content area of the Supervisory certificate or by passing the applicable content test.

**49.151(c) Eligibility and criteria** - A Career and Technical Intern Certificate requires the applicant to remain continuously enrolled in a state-approved teacher intern program.

**49.163(1) Career and Technical Administrative Director** - The experience required for Career and Technical Administrative Director certification was changed from 5 years to 3 years and must be performed in a Career and Technical Education school.

**49.182(d) IU Director Letter of Eligibility** - Intermediate Units may now appoint acting executive directors and assistant executive directors for no more than one year.

**49.191(1) Letters of Equivalency** - The Letter of Equivalency for Baccalaureate Degree is issued to holders of Career and Technical Instructional I, Career and Technical Instructional II or

their equivalents upon the accumulation of 90 college credits. A minimum of 18 credit hours shall be earned at a State-approved baccalaureate degree granting institution. Twelve of the final 30 credit hours may be satisfied, in full or in part, through in-service programs approved by the Secretary for meeting baccalaureate equivalency requirements. The 18 semester-hour credits that must be earned through a four-year institution for a bachelor's degree equivalency do not need to be completed in the final 30 credits of the 90 required. The 12 credits that may be completed through an Intermediate Unit must be completed in the final 30 credits of the 90 required.

**49.191(2) Letters of Equivalency** - The Letter of Equivalency for a Master's Degree is issued to persons holding a valid Instructional I, Instructional II, Educational Specialist I, Educational Specialist II, Career and Technical Instructional I, Career and Technical Instructional II, or their equivalents, upon the accumulation of 36 hours of graduate level credit. A minimum of 18 academic graduate credits shall be earned in the content area of the applicant's certification area(s) at a college or university approved to offer graduate work. A maximum of 18 credits of the credit requirement may be satisfied through in-service programs approved by the Secretary for meeting master's equivalency requirements.

***Completed Tasks (Division of Professional Education and Teacher Quality, PETQ)***

These completed tasks pertain to the Major Program Review process for which PETQ staff are responsible.

**49.14(4)(v) Approval of Institutions and Alternative Program Providers** - Institutions and alternative program providers have clearly expressed standards for admission to, retention in, and graduation from approved programs and can demonstrate recruitment and participation of students from historically underrepresented groups. Institutions and alternative program providers annually shall report on students admitted, retained, and graduated from their programs, including numbers from historically underrepresented groups. As defined in the final rulemaking, historically underrepresented groups are defined as people of color and economically disadvantaged students. Institutions undergoing Major Review will report this information to PDE and corrective action steps are taken within that review for each program at the institution to continue their programs. [Note: Act 55 of 2022, Section 1508 specifies data reporting requirements for educator preparation programs, some of which supersede the Chapter 49 amendments in this section.]

**49.14(4)(vii) Approval of Institutions and Alternative Program Providers** - Institutions and alternative program providers can demonstrate how information from systematic evaluations of their programs, including students and educator evaluators, and achievement levels of candidates for certification in their assessment programs, are used for continual program improvement and shall develop corrective action steps if identified as at-risk or low performing program providers as defined by the PDE in accordance with the higher education act of 1965 (20 U.S.C.A. § 1022F(A)). Currently, PDE has not identified any institutions as low performing. Institutions undergoing Major Review will report this information to PDE and corrective action steps are taken within that review for each program at the institution to continue their programs.

***Completed Tasks (Division of Planning and Professional Development)***

These tasks pertain to the Division of Planning and Professional Development within the Office of Elementary and Secondary Education.

**49.16(a) Approval of induction plans, Section 49.83 Instructional II, and 49.143(4) Career and Technical Instructional II** - Each school entity shall submit to PDE for approval a plan for

a 2-year induction experience for first-year teachers (including teachers in prekindergarten programs, when offered) and educational specialists. Long-term substitutes who are hired for a position for 45 days or more also shall be included in a school entity's induction plan and shall participate in an induction experience for the period of time in which they serve in that capacity. The induction plan shall be submitted every 6 years as required under § 4.13(b) (relating to strategic plans). The induction plan shall be prepared by teacher or educational specialist representatives, or both, chosen by teachers and educational specialists and administrative representatives chosen by the administrative personnel of the school entity. Newly employed professional personnel with prior school teaching experience may be required by the school entity to participate in an induction program. A school entity shall make its induction plan available for public inspection and comment for a minimum of 28 days prior to approval of the plan by the school entity's governing board and submission of the plan to PDE. Additionally, the Instructional II Certificate will be issued to an applicant who has completed a PDE-approved 2-year induction program). Career and Technical Instructional II will be issued to an applicant who has completed a PDE-approved 2-year induction program.

### **Tasks In Progress**

**49.18(d) Assessment** - A periodic review of the assessments (certification testing) will be made by the Board every 5 years. The Certification Services Division is currently developing this process.

### **Certification Staffing Policy Guidelines (CSPGs)**

The CSPGs are guidance documents that PDE uses to update the field on new certification requirements. The following CSPGs are currently being updated to reflect Chapter 49 amendments. PDE is posting the updated CSPGs [online](#) as they become available.

- CSPG 4: Evaluation for Certificate Eligibility by the Bureau
- CSPG 5: Evaluation of Credentials for Individuals Prepared Outside of the United States
- CSPG 9: Experience Requirements for Initial Supervisory, Administrative Certificates and Letters of Eligibility
- CSPG 4: Evaluation for Certificate Eligibility by the Bureau
- CSPG 5: Evaluation of Credentials for Individuals Prepared Outside of the United States
- CSPG 7: Level II (Permanent) Certification
- CSPG 9: Experience Requirements for Initial Supervisory, Administrative Certificates and Letters of Eligibility
- CSPG 10: Letter of Equivalency for Master's Degree and Baccalaureate Degree
- CSPG 13: Emergency Permits
- CSPG 18: Interstate Certification Agreement
- CSPG 25: Career and Technical Emergency Permits
- CSPG 64: Teacher Intern
- CSPG 87: School Social Worker, Educational Specialist Certificate PK-12

### **Next Steps**

The next steps for Chapter 49 implementation include the following:

- PDE is releasing the CR-SE Program Framework Guidelines the week of November 14, 2022.
- Assurance paperwork for all three competencies (Culturally-Relevant and Sustaining Education, Professional Ethics, and Structured Literacy) will be sent to educator preparation programs for completion. Major Program Review processes will reflect the

new competencies and ensure implementation at IHEs beginning with the 2024-25 academic year.

- The Induction Plan template within the Future Ready Comprehensive Planning Portal is being updated to include assurances for CR-SE and Professional Ethics trainings. Beginning in March 2023, LEAs will be required to use the new template when submitting their Comprehensive Plans.
- The Professional Development Plan template within the Future Ready Comprehensive Planning Portal is being updated to include assurances for all three competencies (CR-SE, Professional Ethics, and Structured Literacy). Beginning in March 2023, LEAs will be required to use the new template when submitting their Comprehensive Plans.
- Professional Development for Structured Literacy is currently underway and will be released in the late December time frame. Additional professional development for Professional Ethics and CR-SE is in development and will be released in June 2023.
- The Certification Services staff is currently developing a process of periodic review of assessments (certification testing) for the State Board's review and input.