

2025

Your Guide to a Successful Teaching Career:



Salary Schedules
Accusatory Meetings
Certifications
Evaluations

Tips for Teachers Sexual Harassment Assaults by Students Tenure

... and more

The logo for the Pennsylvania State Education Association Northeastern Region. It features the acronym "PSEANER" in large, bold letters. "PSE" is blue, "A" is green with a red house icon inside, and "NER" is green. Below the acronym, the words "Northeastern Region" are written in blue, and "Pennsylvania State Education Association" is written in green.

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INTRODUCTION

The background of new teachers in Pennsylvania is varied. Some are recent college graduates who have never been employed as teachers. Some have been substitutes. Others have been teachers who taught for several years, then left teaching for various reasons, and are now returning. Still others are entering the teaching profession from other employment unrelated to schools.

Regardless of your past teaching experience, you all face similar problems. Research has shown that most new employees are not well informed on the issues they face in their employment.

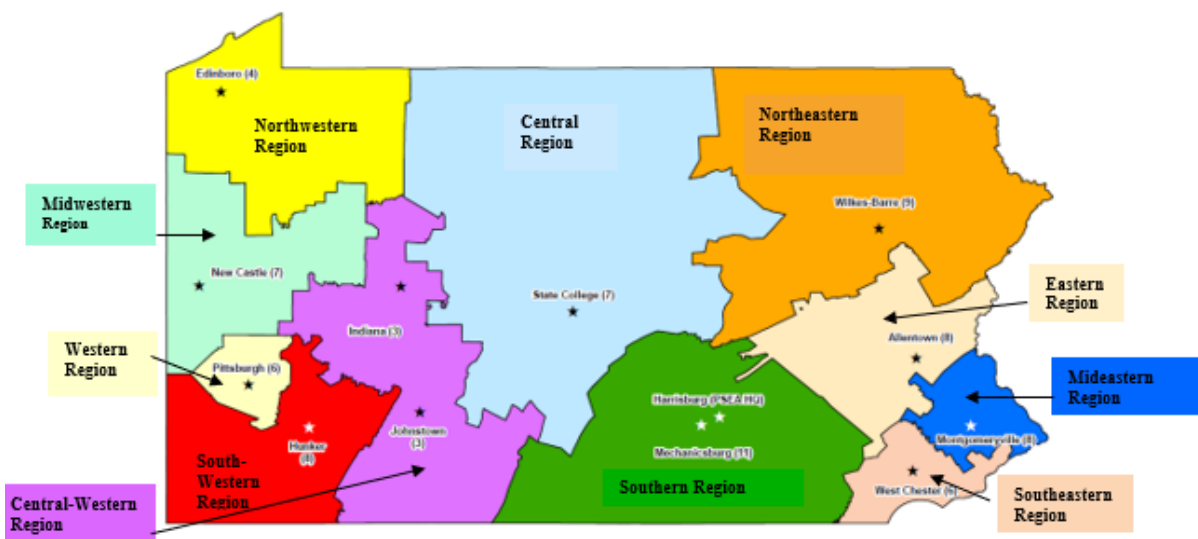
Each year new teachers face problems that affect their employment and sometimes even their teaching career. You can avoid many of these problems with the information contained in this manual.

The information included in this manual presents:

- Information on your Union
- Information about your teaching certificate
- Information on tenure
- Suggestions on how to handle the more common issues that may confront you as a new employee
- Information on your retirement system

It is our hope that the information included may help you begin your career smoothly and avoid some of the more common pitfalls that may lie ahead.

The information presented is only a brief summary of some very important topics. Questions and more detailed information on any issue should be directed to your PSEA office.



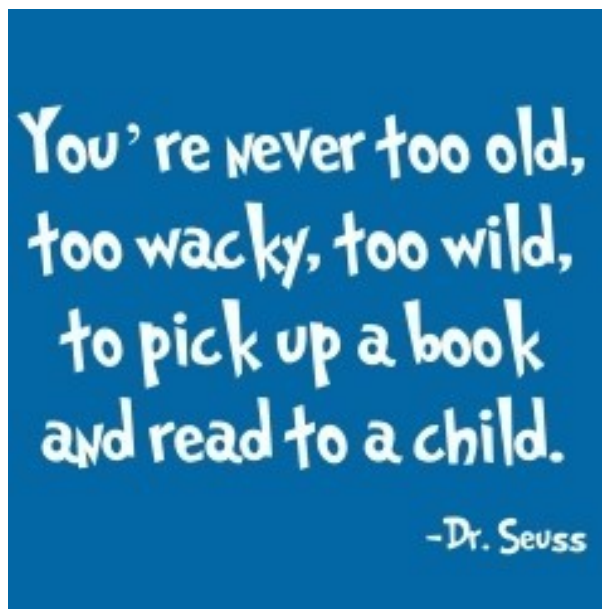
BECOMING AN ACTIVE MEMBER IN YOUR UNION

The source of a Union's power resides with its membership. Thus, in order to maintain the power needed to effectively advocate for professional educators and for public education in general, your Union needs you to play an active role in the affairs of the organization.

By attending meetings, completing surveys, and contributing some of your time to make the Union work, you help yourself as well as those with whom you work and teach. And cooperation, not competition, makes our Union strong and helps us to forge a better workplace.

There are many and various ways to plug into the life of the Union. Learn about the structure of your Union, the committees and committee members who keep things hopping. Figure out how your local Union fits into the Southern Region, and the state-wide PSEA organization. Understand the role that NEA plays and the impact the entire structure has on your work and the work of teachers all across the country.

We welcome you as a member of the Union and we look forward to working with you for many years to come.



Your Local Union

THE LOCAL UNION – YOUR LIFELINE TO REPRESENTATION AND SERVICES

Active members of PSEA-NEA include public school teachers, curriculum specialists, counselors, department heads, hygienists, librarians, school psychologists, nurses, school social workers, vocational-technical teachers, intermediate unit teachers, and community and junior college faculties. Also represented are educational support professionals (e.g. paraprofessionals, secretaries, custodians, cafeteria employees, etc.), college students preparing to teach, and retired teachers.

As a local member, you can be directly involved in PSEA-NEA programs in a leadership role through your local union structure – as a faculty representative, as a committee member, as an officer, or other member of the executive body.

As a member of one of PSEA-NEA's over 1,100 local unions you are entitled to all union services through your UniServ representative, who is your link to PSEA headquarters staff and PSEA region attorneys.

Be part of your Union. Be active, be involved, and discuss your involvement with your local president.

OUR SYMBOL – WHAT DOES IT SYMBOLIZE?

Symbol of the United Education Profession



This symbol, adopted by the NEA Executive Committee in 1966, combines the legacy of the past (Π for Π α ι δ ε υ α, the ancient Greek word for education) with new direction for the future (►). The spherical triangle serving as the background represents the mutually supportive programs of local, state, and national education associations to advance education. In one sentence, then, the design symbolizes the forward thrust of education through a united profession.

NORTHEASTERN REGION SERVICE CENTER STAFF

PSEA Northeastern Region Office

1188 Highway 315
Wilkes Barre, PA 18702
1-800-432-8619 or 570-208-1149
Fax: 570-208-1159
<https://www.psea.org/NER>

John Holland, Region Field Director

[\(jholland@psea.org\)](mailto:jholland@psea.org)

Maureen Foster, Associate

[\(mfoster@psea.org\)](mailto:mfoster@psea.org)

Columbia Montour AVTS
Lake Lehman
Luzerne Cty Comm College

Mid Valley
Scranton EA
Pittston ESP

Wyoming Area EA
Wyoming Valley West

Mark McDade, UniServ Representative

[\(mmcdade@psea.org\)](mailto:mmcdade@psea.org)

Daryl Samuelsen, Associate

[\(dsamuelsen@psea.org\)](mailto:dsamuelsen@psea.org)

Central Columbia
Dallas EA
Danville EA
East Stroudsburg EA

Line Mountain EA
Millville
Milton EA
Northumberland Cty ACTC

Shikellamy EA
Southern Columbia EA
Warrior Run EA

Kayla Troast, UniServ Representative

[\(ktroast@psea.org\)](mailto:ktroast@psea.org)

Teri Moore, Associate

[\(tmoore@psea.org\)](mailto:tmoore@psea.org)

Athens
Canton EA
NE Bradford

Norther Tier CTC
Sayre
Sullivan County

Towanda
Troy

William Lydick, UniServ Representative

[\(wlydick@psea.org\)](mailto:wlydick@psea.org)

Maureen Foster, Associate

[\(mfoster@psea.org\)](mailto:mfoster@psea.org)

Abington Heights EA
Dunmore ESP
Lackawanna College EA

North Pocono
Pocono Mountain
Riverside

Valley View

Bernadette McHugh, UniServ Representative

[\(bmchugh@psea.org\)](mailto:bmchugh@psea.org)

Maureen Foster, Associate

[\(mfoster@psea.org\)](mailto:mfoster@psea.org)

Crestwood ESP
Dallas Cafeteria
Danville ESP
East Stroudsburg ESP

Forest City Regional
ESP
LIU #18
West Side CTC

Wilkes Barre Area ESP
(3 groups)
Wilkes Barre CTC
Western Way ESP
Wyoming Area EA

Matt Gruenloh, UniServ Representative

[\(mgruenloh@psea.org\)](mailto:mgruenloh@psea.org)

Teri Moore, Associate

[\(tmoore@psea.org\)](mailto:tmoore@psea.org)

Delaware Valley
Monroe CTC

Mountain View
Pleasant Valley

Shamokin EA
Stroudsburg

Virginia Cowley, UniServ Representative

[\(vcowley@psea.org\)](mailto:vcowley@psea.org)

Daryl Samuelsen, Associate

[\(dsamuelsen@psea.org\)](mailto:dsamuelsen@psea.org)

Benton EA
Berwick EA
Bloomsburg
Crestwood EA

Dallas ESP
Greater Nanticoke
Hanover
Hazleton

Mount Carmel EA
Wilkes Barre EA

Jim Maria, UniServ Representative

[\(jmaria@psea.org\)](mailto:jmaria@psea.org)

Daryl Samuelsen, Associate

[\(dsamuelsen@psea.org\)](mailto:dsamuelsen@psea.org)

Abington Heights ESP
Blue Ridge EA
Carbondale

Elk Lake
Lackawanna Trail
Montrose

Susquehanna Comm EA
Tunkhannock
Wyalusing

Debbie Zabielski, UniServ Representative

[\(dzabielski@psea.org\)](mailto:dzabielski@psea.org)

Daryl Samuelsen, Associate

[\(dsamuelsen@psea.org\)](mailto:dsamuelsen@psea.org)

CSIU EA
Forest City Regional EA
Lakeland

NEIU #19
Northwest Area
Old Forge EA

Wallenpaupack
Wayne Highlands
Western Wayne EA

Jessica Sabol, Region Advocacy Coordinator

[\(jsabol@psea.org\)](mailto:jsabol@psea.org)

Teri Moore, Associate

[\(tmoore@psea.org\)](mailto:tmoore@psea.org)

Bradford County
Columbia County
Lackawanna County
Luzerne County

Monroe County
Montour County
Northumberland County
Pike County

Sullivan County
Susquehanna County
Wayne County
Wyoming County

Mateo Arias Duvall, Associate UniServ Representative

[\(mariasduval@psea.org\)](mailto:mariasduval@psea.org)

Jimmy Gilbert, Field Manager

[\(jgilbert@psea.org\)](mailto:jgilbert@psea.org)

PSEA STATEWIDE ELECTED OFFICERS

Aaron Chapin
Jeff Ney
Rachael West

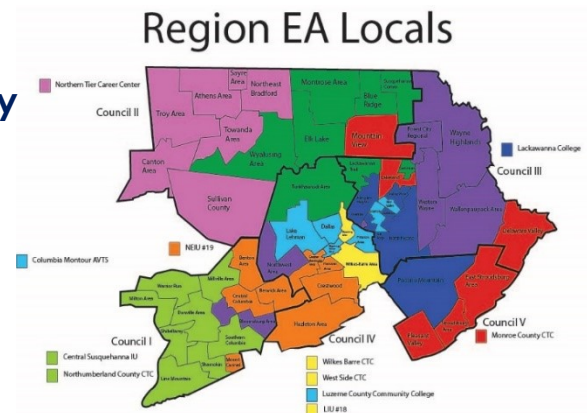
President
Vice President
Treasurer



Jim Vaughan, Executive Director
400 North Third Street, P.O. Box 1724
Harrisburg, PA 17105-1724
800.944.7732; 717.255.7000
www.psea.org

PSEA NORTHEASTERN REGION ELECTED OFFICERS

Jennifer Agolino President
Mike Soskil Vice President
Kristy Snider Treasurer/Secretary



NORTHEASTERN REGION COORDINATING COUNCIL PRESIDENTS

Council I
Tammy Glowatski

Council IV
Alan Yendrzejewski

Council III
Leslie Corby

Council V
Jill Greenwood

Council II
Eric Lloyd

PSEA HEADQUARTERS & FIELD OFFICE CONTACT INFORMATION

(WWW.PSEA.ORG)

PSEA Headquarters

400 North 3rd Street
P.O. Box 1724
Harrisburg PA 17105-1724
717-255-7000
800-944-7732
Fax: 717-255-7002

Central Region

400 Shiloh Road
State College, PA 16801
814-238-1201
800-548-7732
Fax: 814-861-1513

Central-Western Region

300 Bloomfield Street
Johnstown, PA 15904
814-266-3965
800-441-9793
Fax: 814-269-3825

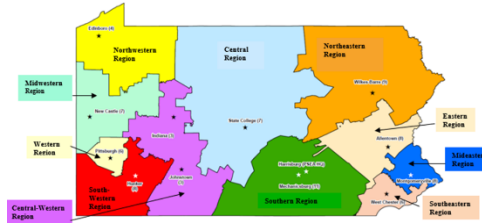
39 N. 7th Street - Suite 300
Indiana, PA 15701
724-349-1278
800-772-3021
Fax: 724-349-3840

Eastern Region

4950 Medical Center Circle
Allentown, PA 18106
610-391-0835
800-322-9032
Fax: 610-391-0981

Mideastern Region

601 Bethlehem Pike
Building C
Montgomeryville, PA 18936
215-853-2100
800-492-2727
Fax: 215-853-2130



Midwestern Region

3033 New Butler Road
New Castle, PA 16101
724-924-1000
800-942-8025
Fax: 724-924-1010

Northeastern Region

1188 Highway 315
Wilkes-Barre, PA 18702
570-208-1149
800-432-8619
Fax: 570-208-1159

Northwestern Region

413 West Plum St., Suite C.
Edinboro, PA 16412
814-734-3711
800-962-7732
Fax: 814-734-5206

Southeastern Region

1512 McDaniel Drive
West Chester, PA 19380
610-430-6150
800-255-7732
Fax: 610-430-0596

Southern Region

4750 Delbrook Road-Suite 100
Mechanicsburg, PA 17050
717-761-8009
800-622-2270
Fax: 717-761-8566

Southwestern Region

944 South Center Ave
Hunkar, PA 15639
724-696-3100
800-942-0415
Fax: 724-696-3119

Western Region

10 South 19th Street
Pittsburgh, PA 15203-1878
412-381-2400
800-222-7732
Fax: 412-432-2034

MY LOCAL CONTACT INFORMATION

My Local President

Contact Information:

My Building Representative

Contact Information:

SALARY SCHEDULES AND POSITION CLASSIFICATIONS

► *Negotiating a Starting Salary*

In districts with an open first step, or no salary schedule, you may be able to negotiate a starting salary higher than the minimum starting salary of \$18,500 set forth in the School Code. This is especially true for teachers who are reentering the teaching field with prior teaching experience. All districts are required to grant salary credit if a teacher previously worked in that same district. Some districts are required under the teachers' contract to grant salary credit for other prior experience in another district. Other districts make it a matter of negotiation between the district and the new teacher. The only way you will know whether you can negotiate a higher starting salary is by asking. The ability to negotiate often depends on how much the district needs to hire the particular person.

With very few exceptions, you should realize that once you accept employment at a given salary, you cannot change it. Therefore, it is important to negotiate any salary concerns at the time of hire.

► *Position Classifications*

In deciding whether to accept a job offer, it is important to know what type of position you are being offered. There are basically two types of professional positions that are available to new employees:

1. A "permanent teaching" position
2. A "long-term substitute" position

A "permanent teaching" position is the result of a permanent vacancy caused by a death, resignation, termination, retirement, or the creation of a new position. If you are hired for one of these positions, you will be hired as either a "temporary professional employee" or a "professional employee." If hired in one of these categories, you have the expectation of continued employment, provided that you perform satisfactorily. You earn credit toward tenure and accumulate seniority credit if you hold one of these positions. (See section on tenure for more information.)

If you are hired for a "long-term substitute" position, [i.e., you are filling in for a teacher on leave] you have no expectation of continued employment beyond the date that the leave of absence expires. You do not earn credit toward tenure, and you do not accumulate seniority credit.

Due to the competitive job market, new teachers often have to start out in a long-term substitute position.

In some school districts, you will find an attractive starting salary for a Bachelor's degree, but a less competitive salary after five or ten years in the district. In other districts, the maximum Master's degree salary (career rate) might look good, but you may need to work there a long time in order to reach the maximum salary.

"Steps on salary schedule" column indicates the number of steps on the salary schedule and may also indicate the number of years it takes for a new teacher to reach the maximum salary in each district. The districts with the least number of steps are the most desirable, since a teacher reaches the maximum salary sooner in those districts.

The "Bachelor's Degree Starting Salary" in each district is the entry level for a new teacher with no experience and a Bachelor's degree.

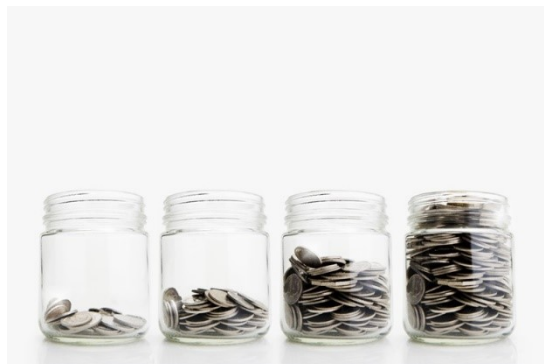
► ***Career Rate***

An important factor in analyzing a school district's salary schedule is what is called "career rate" (or "top of the Master's schedule"). Career rate is the salary all teachers with a Master's Degree receive after reaching the highest level of experience on the salary schedule.

► ***Career Earnings***

Another factor in analyzing a school district's salary schedule is what is called "career earnings." "Career earnings" is a measure used to determine the total salary a teacher would earn over the span of a 30-year career within the same district. The number of steps it takes to reach the top of the salary schedule and the number of columns beyond the Master's column are factors that have an impact on career earnings.

While you may be hired at a time when the salary schedule is in pretty good shape and provides for substantial career earnings, you should be aware that the salary schedule is bargained by the Union and the district and will most likely change—even dramatically—over the course of your career. There are no guarantees that what you see now is what you will get at the end of a 35-year career. All the more reason for you to become involved with your Union throughout your career. Your involvement ensures your input into what that salary schedule will look like over the years.



PSEA – ADVOCACY AND REPRESENTATION

Advocacy: In addition to local member advocates, PSEA provides onsite consultation from a staff of professional field representatives, known as UniServ (NEA Unified Staff Service Program) Representatives, and provides legal services to local associations and members through a network of staff and retained attorneys.

The UniServ program is, in part, funded by NEA. The NEA Kate Frank/DuShane Unified Legal Services Program also helps to pay for legal representation.

Employment-Related Legal Problems: PSEA provides legal representation to your local association to enforce salary, benefit, and other provisions in collective bargaining agreements, to prevent and challenge unfair practices by employers, and to assist on any other union-related legal matters. In addition, PSEA provides legal representation to eligible members for employment-related legal issues not covered by the collective bargaining agreement. For example, PSEA will provide representation to eligible members in unemployment compensation cases, discrimination complaints, or in cases involving certification issues before the Department of Education or the Professional Standards and Practices Commission.

In addition, affirmative civil actions (e.g., defamation, civil rights, civil assault, or battery cases) on behalf of the member may be funded in certain cases if approved by PSEA's general counsel.

To be eligible for representation in matters outside the collective bargaining agreement, you must be an active member at the time of the incident and at the time you apply for legal services. Thereafter, you must maintain membership in the appropriate category (active, life or reserve) to continue receiving legal services. Where appropriate, the PSEA general counsel may waive the requirement that you were an active member at the time of the incident, (for example, where an action against your certification is based on alleged conduct occurring prior to your entry into the profession).

A PSEA-Retired member who needs legal assistance regarding a retirement problem, or any legal issue relating back to their employment will be eligible for legal services as long as the retiree was an active member at the time of the incident and membership in PSEA-Retired was continuous with her/his active membership.

Applications for legal assistance and a copy of the PSEA Legal Services Policy are available through your UniServ Representative's office. Once an application for legal services is approved, PSEA will assign an attorney to provide representation. Under the PSEA Legal Services Policy, PSEA's general counsel controls the extent to which the case is funded.

Workers' compensation cases are an exception to the PSEA Legal Services Policy. The law provides for payment of attorneys' fees in most cases out of any recovery. Therefore, workers' compensation cases are handled as follows:

1. If you use an attorney approved by PSEA, PSEA will provide up to \$1,500 to cover the costs of obtaining the necessary medical testimony, or other fees and costs as approved by the general counsel. If you are successful in your case and the employer is ordered to pay costs, PSEA shall be reimbursed for its portion of the costs. If you are not successful, you will not be required to reimburse the financial assistance.
2. Attorneys approved by PSEA will handle your case on a contingent fee basis, with a 30 percent reduction in fee. The workers' compensation statute provides that attorneys' fees are normally 20 percent of the recovery. This means the fee will be reduced to 14 percent. The reduced fee will be paid from your recovery. Because the case is handled on a contingent fee basis, you will incur no attorneys' fees unless your claim is successful.
3. PSEA cannot guarantee that all cases on a reduced contingent fee will be accepted by the PSEA-approved attorney. Small claims may not generate enough fees for the attorney to accept the case on a contingent fee. In such a situation, please contact the PSEA Legal Division for further information.

Cases challenging denial of employment-related disability benefits by the Public School or State Employees' Retirement System, or a third-party disability insurance carrier are also an exception to the PSEA Legal Services Policy. However, in certain cases, PSEA will provide up to \$1,000 to cover attorney fees and costs to an eligible member represented by an attorney approved by PSEA. PSEA will be reimbursed for the advance only if you are awarded fees and/or costs in the matter.

The PSEA Legal Services Policy does not provide legal representation to defend against criminal charges or complaints of child abuse. However, as explained below, PSEA provides financial assistance to eligible members for criminal investigations or criminal charges arising from certain employment activities, or for complaints of child abuse arising in the course of employment.

Liability Coverage and Reimbursement for Attorneys' Fees: Liability coverage is provided to active, substitute, retired, and student members by PSEA through the NEA Educators Employment Liability (EEL) insurance policy for eligible occurrences arising out of certain educational employment activities.

The policy provides \$1 million coverage, per member, per occurrence, for damages in civil proceedings (not including civil rights matters) brought against you in the course of employment, subject to a \$3 million per occurrence aggregate for all claims. The policy also covers your legal defense costs in such civil proceedings for up to \$3 million per member, per occurrence, subject to a \$9 million per occurrence aggregate for all claims.

In cases alleging civil rights violations, you are insured for up to \$300,000, per member, per occurrence, to cover either damages or legal defense costs, subject to a \$3 million per occurrence aggregate to cover all claims.

Your EEL policy includes reimbursement of attorneys' fees up to \$35,000 for the defense of criminal charges arising from certain employment activities if you are exonerated from all charges or if all charges are subsequently withdrawn or dismissed. The EEL policy further includes bail-bond coverage (\$1,000 per bond) and coverage of assault-related personal property damages (\$500 per assault).

PSEA will advance up to \$2,500 to any eligible member who is investigated for alleged criminal activity or charged with a crime arising from employment activities, so that the member can retain a criminal defense attorney. The member must use a PSEA-approved attorney and the advance will be paid to the attorney. If the EEL policy subsequently covers the attorney fees, PSEA will be reimbursed for the money it has advanced. If the EEL policy does not cover attorney fees, PSEA will not expect reimbursement of the advance.

PSEA will advance up to \$2,500 toward the costs of representation by an approved criminal defense attorney when the member is investigated by a child protective services agency for allegations of child abuse in the course of employment. Upon approval by the PSEA general counsel, PSEA will provide an additional \$2,500 to assist with a hearing to challenge an indicated report of child abuse related to employment.

If you are involved in a school activity that results in a claim, you should report the incident immediately to your UniServ representative. A claim form will be filled out for you and processed through PSEA's EEL coordinator.

This is a general summary of the NEA EEL insurance policy. Members must refer to the EEL Certificate of Insurance for further details. Copies of the Certificate of Insurance are available at your PSEA region office.

Personal Legal Services: You, your spouse or domestic partner, and children (who are classified as dependents for federal tax purposes) are entitled to take advantage of two free consultations per calendar year of up to one half-hour each, to obtain legal advice from an attorney who participates in the NEA Attorney Referral Program. During the consultations, you can discuss any personal, legal matter except for income tax preparation or controversies regarding other PSEA members. These consultations must be on two different matters and cannot be combined.

During your free consultation, you may determine that additional legal services are needed.

Participating attorneys have agreed to reduce their fees by 30% for PSEA members in five core areas: wills and estates (including guardianships); real estate transactions (including landlord, property line, and zoning disputes); domestic relations; consumer protection (including bankruptcy and creditor disputes); and traffic violations (where fines are in excess of \$500). PSEA cannot guarantee that the discounted fee will be the lowest in the area, only that it is 30% lower than the fee normally charged by that attorney.

Your PSEA region office will put you in touch with a participating attorney in your area. The attorneys who participate in the NEA Attorney Referral Program are not required to represent you, nor are you obliged to retain them for additional legal services.

11 THINGS THAT EVERY NEW TEACHER SHOULD KNOW

1. **Your certificate is your responsibility and yours alone.** There is absolutely no defense if you do not meet all deadlines and requirements. The school district may terminate you at will if you allow your certificate to lapse. There are numerous horror stories to verify this fact.
2. **You will be asked to make some decisions soon after you start your job that will determine the level of your future retirement income.** When you are first enrolled in the Public School Employees Retirement System (PSERS), you will be enrolled in a hybrid retirement plan with both a Defined Benefit (DB) and Defined Contribution (DC) component for your retirement benefit. You will then be notified by PSERS that you have the option to remain in this hybrid retirement plan which gives you the highest guaranteed DB benefit, in which case you don't have to do anything, or you can elect to switch to a lower cost/lower benefit hybrid plan or a DC-only plan. You will also have to make decisions on how to invest the money in the DC portion of your retirement plan.
3. **Your collective bargaining agreement (contract) is your guide to the workplace.** In any employer/employee situation, management has all the rights except those which are "taken away" and "given" to the employee by the law and collective bargaining. Your contract will spell out wages, benefits, and working conditions -- your rights and responsibilities -- that you inherit when you begin employment.
4. **You should familiarize yourself completely with all of the insurance plans the school district provides for you.** Ask for and get any benefit description booklets that are available so that you understand what is and is not covered, learn how to complete and submit major medical forms, and find out if your insurance plans provide for "stacking" benefits if you are married to another teacher in the district. Increasingly, managed care programs like HMO's and Point of Service are being instituted in school districts. In addition, High Deductible Healthcare Plans (HDHP) and Qualified High Deductible Healthcare Plans (QHDHP) are being implemented. Make yourself aware of the restrictions these programs place on your use. Check your collective bargaining agreement to note insurance improvements, choices or downgrades each work year.
5. **You should check your personnel file once a year.** Most collective bargaining agreements specifically reference when and how to check your personnel file. Most also indicate what is permitted and not permitted in the file. Most also provide a procedure for an employee to answer anything that goes into the file that could be used against him/her. Anything that goes into the personnel file is part of your official employment record and may be used against you. Check with your Union building representative if you find something in your file which troubles you. The personnel file belongs to the district, not to you; but you have access to it if there is an issue that might require you to check on the contents of the file.

- 6. You should check the “math” of your paycheck every work year.** Underpayments and overpayments are not unheard of, and employees have a responsibility to check to make sure they are being paid properly according to the collective bargaining agreement. This becomes even more important when one realizes that the school district may have the right to recoup overpayments even if the overpayments occur over a period of years. Also, you should realize that sometimes there is bargained money in the collective bargaining agreement such as longevity payments and credit payments which may not be directly depicted in the salary schedule but should be reflected in your paycheck.
- 7. You should keep track of the amount of leave time available to you along with its restrictions.** Much of your leave time is mandated by the School Code but enhanced or restricted by the collective bargaining agreement. That additional leave time not provided in the Code, and to which you are entitled, is addressed in the collective bargaining agreement. “Personal days” would be an example of the negotiated leave. The important things to remember regarding leave are how much you have, how you must use it, under what conditions it accumulates, what benefits accompany it and -- most importantly -- that misuse of any leave is usually grounds for discharge.
- 8. You should keep records of everything when dealing with students, parents and the school district.** The copy machine is your best friend when dealing with students, parents and the employer. This is especially true if the possibility of trouble exists with students, and you need to consider protecting yourself from civil or criminal charges. School districts are notoriously sloppy record keepers so all of your requests and correspondence to and from the district should be copied and kept in your own filing system, subject to any employer policies.
- 9. You do not have to rely solely on the school district to protect you from assault, intimidation and harassment of students or parents.** In cases of physical harm or threats you may file charges against the aggressor without permission from your employer. Also, the Union may, at your request, act on your behalf if a parent of a student continues to harass, intimidate, threaten, or annoy you. Report any such actions to your Union building representatives. In addition, many collective bargaining agreements reference teacher protection and safety or student disciplinary policies. These may provide some protection.
- 10. You must follow time limitations when exercising employment rights.** The law, the collective bargaining agreement, and school policy all contain deadlines for requesting action of the employer or government agencies or demanding the enforcement of your rights. It may be a deadline for a request of a personal day, an application for a transfer, a workers’ compensation claim, or the filing of a grievance. No matter the issue or the procedure, time limitations are usually a factor and should not be ignored.
- 11. Your privacy rights are limited by the employer’s right to monitor your actions.** Employer-provided computers should be used in strict compliance with school district policy. Districts have suspended or terminated employees for using computers to engage in sexual or racial harassment, defamation, and obscenity. Employers generally have a right to monitor computer use and a recent study found that one-third of all employers do.

Some employers have placed surveillance cameras in classrooms or other areas of the school. The use of surveillance cameras does not violate the Pennsylvania Wiretapping Law if the cameras do not record sound, or if they are located where there is no reasonable expectation of privacy. The local Union should demand bargaining over the use of surveillance cameras if the district intends to use them for disciplinary or evaluation purposes.

ELECTRONIC COMMUNICATIONS & SOCIAL MEDIA

Educators use technology in their classrooms, in their careers, and in their personal lives. While technology has many benefits, understanding how your use of technology (e-mail, texting, social media, content creation, AI, etc.), whether in or out of the classroom, can impact—or even jeopardize—your career is important.

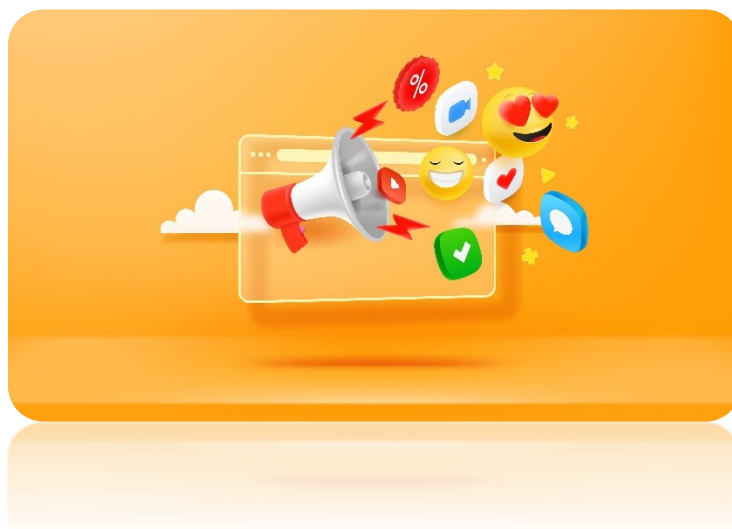
E-mail and Texting

1. Be sure to review your employer’s e-mail policy and use your school e-mail account ONLY for job-related communications to your colleagues, students, parents, etc.
2. DO NOT contact students or guardians using your personal e-mail, phone number (calls or texts), snapchat, or any other social media messaging platform. Use only your work e-mail address or a school-sponsored application when communicating with students and guardians. All communication should be school related.
3. NEVER provide your personal e-mail address, phone number, or messaging account, or social media information to students or guardians.
4. DO NOT call students on their personal cell phones.
5. DO NOT text students or message students through social media platforms.
6. DO NOT call, text, or message anyone about unethical, illegal or other inappropriate subjects.
7. E-mails, texts, and other messages are not necessarily “private” messages and can be recovered through litigation. This includes messages and images sent via platforms that appear to delete the media after a specified time, such as Snapchat.
8. Immediately notify an administrator if you have any concerns about the content of a student or guardian communication. If your concern relates to child abuse or sexual exploitation, be sure to follow all Mandated Reporting requirements.
9. Note: Under the Right-to-Know Law, your e-mails, texts, and social media posts and messages that relate to school issues could be considered “public records” even if they are made from a personal device or account and therefore could be released to individuals outside the school setting, depending on content.

Social Media and Online Content

1. *School employees may be disciplined, including termination, based on the content posted to their social networking pages or blogs. School employees may also be disciplined for engaging or interacting with students through social media and online content platforms.* The First Amendment protects the speech of public employees only to the extent that they are speaking as *private citizens* on matters of *public concern*. An employee's speech is **NOT** protected if:
 - a. It is spoken pursuant to official job duties
 - b. It deals with private, personal matters
 - c. It causes disruption in the workplace
 - d. It is unlawful or untrue
2. Your online content will probably **NOT** be protected if it includes personal and intimate information; criticism of school officials, students, and staff; has sexual references, profane remarks, or otherwise inappropriate graphics.
3. Be aware of your employer's policy regarding the use of social media and online content creation for work purposes.
4. Constantly monitor postings or comments to your social media profiles and other online content accounts and remove any that are inappropriate (language or content).
5. Users can search for you by anything in your profile.
6. Limit access to your social media profiles and online content platforms. Control who sees your pages and who can search for your pages. Set your privacy settings so that only "friends" can review your information.
7. Monitor photographs posted by your friends/followers. If someone "tags" you in an inappropriate photograph, remove the tag and ask that the photo be taken down.
8. DO NOT engage or interact with students through social media or other online platforms unless you are using a school approved platform for educational purposes.
9. DO NOT post photographs or videos of students.
10. DO NOT disclose confidential employer information.
11. DO NOT accept friend/follower requests from students or their parents.
12. DO NOT accept someone you do not know as your friend/follower and be sure to carefully consider all friend/follower requests.

13. DO NOT join “groups” that may be considered unprofessional or inappropriate.
14. DO NOT use inappropriate, vulgar, or obscene language or materials.
15. DO NOT post photos which could be considered inappropriate or unprofessional.
16. DO NOT post links to materials or groups that may be considered inappropriate or unprofessional.
17. If you are a victim of fake online content or a fake social media page created about you, notify your employer immediately and report the impersonation to the social media or content creation platform and request that they remove the entry.
18. Keep in mind a potential employer or your current employer could search for you and your content online, so think before you post. Each time you post a photo, video, or information on the web, make sure you would gladly show it to your family, your students, your superintendent and the editor of the New York Times. Keep it “G” rated.
19. Creating online content anonymously does not necessarily protect you. Names of content creators, web authors, and other internet users can be discovered through litigation.
20. Content deleted from social media and similar online platforms can usually be recovered through litigation.



FREE SPEECH

Free speech isn't so free in school.

A word of caution - be careful what you say in the classroom. Even if your employer is a subdivision of the Commonwealth, and is therefore technically bound by the First Amendment, court cases have limited protection for speech made by public-school teachers during the workday. Courts have ruled that this “job-duty speech” is not protected by the First Amendment and can result in discipline or discharge under certain conditions.

However, other types of speech made by educators and other public employees may be protected when statements are made outside the course of an employee performing official duties. Examples of this “citizen-speech” could include writing a letter to a newspaper as a private citizen, discussions of politics outside of work, etc. PSEA members can ensure that they are speaking as citizens by referring to themselves as educators or school employees while not identifying their particular school employer. If they identify the name of their employer, they should specifically state for the record that they are sharing their own personal points of view and not speaking for their employer

Because of this, PSEA advises members working in schools to think carefully about what they say in the classroom and when they are performing other job-related duties. Some speech tips during work time are:

1. Avoid discussing your personal beliefs on “hot button” issues such as politics, sex, religion and money.
2. Use common sense when deciding how much personal information you share about yourself with your students. Know where the line between “professional” and “personal” lies in respect to your students.
3. When discussing current events, present an objective, even-handed perspective and decline to offer your personal views to the class.
4. If students attempt to engage you in a discussion about a topic you feel strongly about, turn the discussion away from your personal views.
5. If you believe that a personal anecdote might add value to a particular lesson that you are teaching, seek your administrator’s authorization before discussing the anecdote with your class if it could be viewed in a controversial light.

For more information on your rights to free speech as a public school educator, review NEA’s *Speaking Up for Public Education & Our Students* guide, at <https://www.nea.org/advocacy-rights>.

21 FACTS ON CERTIFICATION

1. A Pennsylvania Professional Certificate is your authorization to perform as a professional employee - teacher, school nurse, school dental hygienist, librarian, school counselor, home and school visitor, school social worker, school psychologist, school speech and language pathologist, IT specialist, CTE teacher, supervisor, principal, assistant or vice principal - in the public schools of Pennsylvania.
2. Professional certificates are issued by the Secretary of Education, Pennsylvania Department of Education (PDE), Bureau of Teacher Preparation and Certification, (717)-PA-TEACH (725-3224); <https://www.education.pa.gov/Educators/Certification>.
3. Upon completing a program of study in an approved college or university and taking and passing the required state assessments, a person is issued an Instructional I, Educational Specialist I, Administrative, or Supervisor certificate. Career and Technical Education (CTE) Intern and CTE I certificates are issued to trade and industry and health occupation teachers, and are not baccalaureate level certifications.
4. Teachers who receive initial certification on or after June 1, 1987, must participate in an induction program. Newly employed professional personnel with prior teaching experience also may be required by school entities to participate. Completing an induction program is required to convert from a Level I to a Level II certification. Beginning in the 2024-2025 school year, the length of the induction program must be a minimum of two school years.
5. All Instructional I certificates that were valid on or after September 13, 1980, remain valid for a total of six years of service (teaching time, not calendar years).
6. Valid and active certification is a necessary prerequisite to professional employee status. Allowing an Instructional I or II certificate to become invalid (Level I only) or inactive (Levels I or II) voids the employee's employment status.
7. Instructional II, Educational Specialist II, and CTE II certificates are Level II or what is traditionally but unofficially termed "permanent" certificates. With the passage of 22 Pa. Code, Chapter 49 in September of 1999, administrators and supervisors no longer have a level designation.
8. The requirements for an Instructional II certificate are three years of satisfactory service in the state of Pennsylvania; at least six semi-annual evaluations of satisfactory performance on the Level I certificate in the area for which the certificate was issued; attainment of 24 semester credits beyond the baccalaureate degree; and completion of an induction program. Effective September 1, 2011, individuals applying for Instructional II conversion must have a minimum of 24 credits earned after the conferral of the initial baccalaureate degree is

required. A minimum of six of these 24 credits must be in the content area of the Level I certificate or in a course or courses designed to improve professional practice.

9. Employment as a long-term substitute in one's area of certification of 70 or more days does count as service time against the life of one's Instructional I certificate; however, day-to-day itinerant substitution does not count against the six-year service life of the valid level I certificate.
10. The requirements for Educational Specialist II certificates are three years of satisfactory service on the Educational Specialist I certificate and 24 post-baccalaureate credits. Credits completed to attain these certificates often, but not always, satisfies the 24-credit requirement.
11. Educators should frequently check their recorded hours and 5-year time period in the Professional Education Record Management System (PERMS) at perms.pa.gov.
12. The requirements for CTE Instructional II certification are to complete three years of satisfactory teaching on Career and Technical Instructional I Certificate attested to by the chief school administrator; complete 42 credit hours in an approved program of career and technical education; present evidence of satisfactory ratings conducted by the public or nonpublic school entity; present evidence of having passed the Career and Technical II assessment; complete a PDE-approved induction program; and receive the recommendation of the preparing Pennsylvania university.
13. An employee may not teach in an area in which the individual is not properly certificated. Likewise, a school district stands to be financially penalized if it uses improperly certificated teachers for any classes.
14. A person holding a valid PK-4 teaching certificate may teach in Pre-Kindergarten through 4th grade, and a person holding a grade 4-8 instructional certification may teach 4th-8th grade, including in middle schools only in the concentration area for which they specialized during the certification process. Also, now available is a grade 5-6 "add-on" Praxis test that can be taken by PK-4 certified educators that, once completed, allows for the person to be assigned to teach grades PK-6.
15. A person holding a certificate endorsed for a subject area which is limited to the secondary grades (7-12) or the middle grades (7-9) is qualified for assignment in sixth grade only in the subject area of the certificate they hold, per CSPG #104. This does not apply to educators holding a certificate in special education (7-12).
16. You can review and print your certificates in the Teacher Information Management System (TIMS) at www.mypdeapps.pa.gov/wfTIMS.aspx. Also, access TIMS to update your legal name, mailing address, phone number, and email on file with PDE.

17. Should a properly certificated professional employee not be available to fill a vacancy either as a regular employee or a long-term substitute, an emergency permit can be issued by the Pennsylvania Department of Education at the request of the school district. These permits expire at the end of each school year.
18. By request of the school district or initiated by a Level I or II certificate-holder (through the public school entity), an Act 97 waiver of certification may be issued for one calendar year from the date of issuance to enable the reassignment or split-assignment of a current employee to an area in which that employee is not certificated. Waivers are issued when the employee would otherwise be furloughed or demoted and when there is no appropriately certificated teacher on the recall list. To be eligible, the applicant must have at least 12 semester credit hours of advanced preparation in the area for which the waiver is sought.
19. Certification regulations and state law contain provisions for a Letter of Equivalency for Master's and a Letter of Equivalency for Bachelor's for baccalaureate and non-baccalaureate certified employees. This "letter" was formerly called a Master's Equivalency which is used for pay purposes only.
20. Annually, between October 1 and December 31, any holder of a Pennsylvania certificate may request the deletion of any area on a certificate if that individual has not taught in that area within the previous 5 years or the applicant is not serving as a full-time professional or temporary professional employee. All requests for changes in certification are to be made in TIMS.
21. Under Act 48, all persons who have received a Pennsylvania certificate or letter of eligibility at any level shall be required to accrue six collegiate credits, six in-service credits, 180 hours of continuing professional education activities, or a combination of credits and activities every five calendar years to maintain an active certificate.

CAUTION

The above facts have been taken from the Pennsylvania Public School Code, Chapter 49 of the Regulations of the State Board of Education, and various Teacher Certification Memos, guidelines, forms, and instructions issued by the Department. Since many of the aspects of certification are complicated and technical in nature, it is strongly urged that you contact your PSEA UniServ Representative if you have any questions/concerns on certification.

In addition, with regard to the assessment (PDE Form 427) required for those seeking Instructional II certification, the Department is taking the position that the assessment (PDE Form 427) may only be completed after six semi-annual evaluations have been completed by the employer. This means that individuals and local Unions must be diligent in ensuring that the employer is performing semi-annual evaluations of those with Instructional I certification or these individuals' application for Instructional II certification may be delayed unnecessarily. PSEA believes that the Department's requirement that the assessment (PDE Form 427) be completed only after six semi-annual evaluations is contrary to the

regulations concerning Instructional II certification requirements, which only require three (3) years of satisfactory performance and make no mention of a requirement of six semi-annual evaluations. Thus, those that are denied Instructional II certification due to having less than six semi-annual evaluations should immediately contact their PSEA UniServ Representative so that PSEA may pursue legal action.

Furthermore, any person receiving an unsatisfactory assessment (PDE Form 427) should immediately contact their PSEA UniServ Representative to determine whether a legal challenge may be made.

INDUCTION

Descriptor:

Induction is an organized program designed to support the orderly passage of the beginning teacher through the initial teaching period. The State Board of Education adopted regulations in September 1987 requiring an induction program to include a mentoring component for all newly employed professional educators. Induction completed out of state cannot be substituted for the PA required induction.

Effective at the start of the 2024-25 school year, all school districts, intermediate units, charter schools, cyber charter schools, independent schools, and career and technical centers must provide a Pennsylvania state-approved minimum two-year induction plan.

Pertinent Law or Regulation:

1987 - State Board of Education Regulation

- Chapter 49, Certification of Professional Personnel, 49.16, Approval of Induction Plans and 49.83, Instructional II.

1987 - Pennsylvania Department of Education Guidelines

- Certification and Staffing Policies and Guidelines, No. 20, Induction

2002 - Pennsylvania Department of Education Guidelines

- Induction and Professional Development Guidelines

Effect on Members:

- First and second-year teachers and educational specialists in PA engaged in their initial experience in a Pennsylvania public school entity must participate in the entity's induction program.
- As per *22 Pa. Code 49.16*, LEAs are required to include temporary substitutes in induction programs if they remain in the assignment for more than 45 days. LEAs may include such individuals in staff professional development for assignments of fewer than 45 days.
- Newly employed teachers and educational specialists with more than two years of school experience in PA may be required to participate in an induction program at the option of the employing school entity. Completion of a state-approved Induction Program is required for Level II certification.
- Participation in the induction program process is optional for PreK-12 non-public and private school entities but is required for educators' permanent certification. Non-public, non-licensed schools, approved private schools and private, non-licensed schools may, but are not required to, provide a PA state-approved induction program.

All persons who received their Instructional I or Vocational (CTE) Instructional I certificate on or after June 1, 1987, must present evidence of having successfully completed a PDE-approved induction program to qualify for an Instructional II or Vocational (CTE) instructional II certificate.

Individuals holding Educational Specialist I certificates issued in accordance with September 1, 1999, regulations must also complete a PDE-approved induction program.

Local's Role and Responsibility:

The local should advocate for teacher participation in planning and for administrative support for effective implementation. (Although teacher participation is required for Act 48 planning, it is not required for induction). Nothing prohibits the same local committee from handling both professional development and induction (which is an aspect of professional development).

After approval by the Department of Education, the local should monitor implementation of the plan. Stay alert that the induction process remains one of support to the inductee, not one of evaluation.

Locals must initiate discussion of how induction will be implemented locally – the relationship to evaluation, who will write the plan, method of support teacher selection, etc. Locals must maintain liaison with teacher representatives. Planning should take place during the regular workday and year. Mentors should be compensated.

CAUTION

Reference Materials:

- CSPG #20
- PSEA, Advisory, Induction
- PSEA, Sample Plan, Induction
- PSEA, Professional Development and Induction Guide
- PDE, Induction and Professional Development Guidelines
- PSEA/PAC-TE, Making the Transition (also for individual mentors and inductees)

CONTINUING PROFESSIONAL EDUCATION (ACT 48 OF 1999)

Descriptor:

Professional educator access to effective professional education is essential to student achievement. Act 48 requires that each school entity submit to the Department of Education a continuing professional education (CPE) plan, which must meet the instructional needs of the students and the professional needs of staff. This plan is to be prepared by teacher representatives, educational specialist representatives, administrative representatives, and community representatives.

Each plan must minimally include these CPE options:

- Collegiate study credits
- Continuing professional education course credits
- Hours of learning experience, activities or programs

PSEA recommends including as many options as possible, particularly specific staff development and in-service options.

Effective professional development includes a broad variety of approaches: individual, small group, and large group; district-sponsored and other agency-sponsored; college coursework and non-college; taught by peers and others, including curriculum and assessment development and peer dialogue groups. The topics grow out of community, student and professional needs.

Pertinent Law or Regulation:

Teacher participation in planning is guaranteed.

1986 - Legislative Statute

- 24 P.S. 12-1205.1, 12.1205.2, 12.1205.3 Amended Continuing Professional Education (Act 48)

1999 - State Board of Education Regulation

- Chapter 49, Certification of Professional Personnel, 49.17, Continuing Professional Development

2000 - Pennsylvania Department of Education Guidelines for CPE Plan

2007 - Pennsylvania Department of Education Guidelines for CPE Plan (Revised)

2016 - Act 118 of 2016 provided an extension to some educators and introduced carry-over hours

2020 - Act 13 of 2020 provided an extension to some educators due to COVID-19

2021 - Act 91 on 2021 increased the number of days an educator could substitute using an inactive certificate from 90 to 180.

2022 - Act 55 of 2022 provided an extension to some educators

Effect on Members:

Educators must accrue six (6) collegiate credits, or six (6) credits of Department-approved in-service courses, or one-hundred eighty (180) hours of Department-approved continuing professional development activities and experiences, or any combination of hours and credits every five (5) years. For calculation purposes, thirty (30) hours equal one credit. Educators should frequently check their recorded hours and 5-year time period in the Professional Education Record Management System (PERMS) at perms.pa.gov.

Local's Role and Responsibility:

Locals must initiate discussion with the administration to determine the number and proportion of teacher representatives and education specialist representatives on the Act 48 Committee. PSEA recommends Act 48 Committees meet at least once a semester to monitor implementation. Teacher organizations must organize to influence the selection and replacement of representatives and maintain continuing liaison to their work. Locals should press for PSEA to be listed in the entity's CPE plans as a provider of professional education.

Representatives should press to include district in-service within the work of the Act 48 CPE Planning Committee. All plans are three-year plans.

Related mandatory bargaining issues include released time or compensation for committee members, tuition reimbursement, conference expenses, and paid leaves. Related permissive bargaining issues include committee composition, selection, and responsibilities.

PSEA Provided Act 48 Programs:

PSEA is a state-approved provider of Act 48, which is available for members through Regional Continuing Professional Education (RCPE) Conference(s), live online webinars and book discussions, and asynchronously through [PEARL](#) and PSEA/[NEA Micro-credentials](#). These programs vary in content and duration. Please contact your Local President for details or explore PSEA's Center for Professional Learning at psea.org/prolearning.



THE EDUCATOR DISCIPLINE ACT

Professional Standards & Practices Commission

The Professional Standards and Practices Commission (PSPC) is a public entity that (i) disciplines the certificates of educators who engage in professional misconduct as defined by the Educator Discipline Act (EDA), and (ii) makes various recommendations to the State Board of Education (SBE) regarding the education profession.

Composition: The PSPC has a membership of 13 individuals. It includes six classroom teachers (with not more than one from a school entity other than a public school), three school administrators (at least one to be a commissioned officer and one to be a principal, with not more than one from a school entity other than a public school), one administrator of a teacher preparation institution, two members from the general public (one to be an elected school director), and one educational specialist. The Governor appoints the chairperson.

Eligibility: Appointees, other than those representing the general public, must have been actively engaged in teaching or related service in a school entity or approved institution of higher education with an approved teacher education program for at least five of the previous eight years. They must reside in Pennsylvania.

Advisory Authority: The PSPC advises the SBE on setting standards for teacher education and certification. It recommends standards for types of certificates, teacher education program approval, program approval processes, initial examination, induction, continuing professional development, and reciprocal certification with other states and bodies. In addition to the preceding considerations, it also analyzes teacher education programs and national certification processes.

Public hearings are held on any recommendations being considered for recommendation to the SBE. Such recommendations must be presented publicly at an SBE meeting prior to SBE action on pertinent issues.

Disciplinary Authority: The PSPC has legal authority over professional educator discipline. The statute provides the PSPC five discipline options: private reprimand, public reprimand, suspension of certificate for a definite period, certificate revocation, surrender, and supplemental sanctions. The PSPC can also reinstate certificates that have been revoked.

Definition of Supplemental Sanctions: While the other categories of discipline are relatively straightforward, supplemental sanctions can be flexible and therefore less than clear. These sanctions may be a stand-alone form of discipline or may be combined with another traditional form of discipline such as a suspension or reprimand. Supplemental sanctions are defined as public or private sanctions that focus on remediation or restitution, including, but not limited to,

fees, fines, prescribed coursework, evaluations, treatment plans, impaired educator programs, and other corrective action plans.

Bases for Discipline: The PSPC may direct the Department of Education (PDE) to impose discipline based on criminal conduct or on other grounds.

Criminal conduct: You may be professionally disciplined because you have been convicted of certain crimes listed in Section 111(e) of the Public School Code or those crimes designated as crimes of moral turpitude. Additionally, your certificate may immediately be suspended if you have been charged with a crime listed in Section 111(e).

Noncriminal conduct: You may also be professionally disciplined for conduct that is not considered criminal. In such circumstances, the PSPC must determine if your conduct meets the grounds for discipline under the EDA and the type of discipline you are to receive. In such cases, noncriminal grounds for discipline include **immorality, incompetency, intemperance, cruelty, negligence, sexual misconduct, sexual abuse or exploitation, violation of the [Code of Professional Practice and Conduct](#) for Educators developed by the PSPC (Code), falsification of an application for a certificate or illegal use of a professional title, failure to comply with duties under the EDA including mandatory reporting, and taking actions to threaten, coerce or discriminate, or otherwise retaliate against an individual who in good faith reports misconduct or against a participant in proceedings under the EDA.** Other than a public or private reprimand, discipline on a professional certificate cannot be based on violation of the Code alone. Those parts of the Code on which reprimand can be based are identified.

In addition, an educator is subject to automatic revocation of certification and employment eligibility based on having been named as the perpetrator of a founded report of child abuse or named as an individual responsible for injury or abuse in a founded report for a school employee.

Discipline Procedure: PDE's Office of Chief Counsel receives formal complaints, investigates, and decides which, if any, cases merit prosecution. PDE's counsel uses the standard of probable cause to decide whether to dismiss or continue with the complaint. If the case is prosecuted, PDE must review information from the local school board, and may direct the local school board to investigate and make a recommendation to PDE. PDE's Office of Chief Counsel argues the case before an appointed hearing officer. The educator has the right to be represented. The hearing officer's decision is final unless excepted to by the professional educator or PDE. Exceptions are considered by the PSPC, which affirms, reverses, or modifies the examiner's ruling. The PSPC may direct PDE to impose discipline. Further appeals may be taken to Commonwealth Court.

Meetings: The PSPC meets every other month for one day. Additionally, the PSPC has two committees that often meet immediately prior to meetings of the full PSPC. Meetings are held in Harrisburg.

Possible Impacts on You: Complaints can be filed against you with PDE by anyone, ranging from your district's administration to a parent of one of your students. You will not initially learn the name of your accuser. However, you will receive notice of the complaint and any investigation,

which will probably give you a strong indication of the incident leading to the complaint. A complaint can be frivolous, such as the one filed by parents against a band director for not picking their child as drum major (which was investigated and dismissed). A more serious complaint, such as sexual relations with a student, if proved, will result in the loss of your teaching certificate (among other serious consequences beyond the authority of the PSPC).

Discharge: The Pennsylvania School Code lists the following causes for discharge:

1. Immorality
2. Incompetency
3. Unsatisfactory teaching performance
4. Intemperance
5. Cruelty
6. Persistent negligence in the performance of duties
7. Willful neglect of duties
8. Physical or mental disability that, after reasonable accommodation, interferes with the employee's ability to perform essential functions of employment
9. Advocacy of or participation in un-American or subversive doctrines
10. Conviction of a felony
11. Persistent and willful violation of or failure to comply with school laws or employer policy

Whether you will be dismissed based upon these charges will be initially decided by a school board or a labor arbitrator at an arbitration hearing. Regardless of these hearings, the PSPC may still hold a hearing which could result in the loss of your teaching certificate, even if the school board or arbitrator did not take any employment action against you. The PSPC is not bound by the decision reached by the school board or arbitrator even if your discipline was overturned.

Mandatory Reporting Under the EDA

Under § 2070.9a(a) of the EDA, *school administrators* are required to file mandatory reports with PDE in the following circumstances:

- a) When educators have been provided with notice of intent to dismiss or remove for cause, notice of nonrenewal for cause, notice of removal from eligibility lists for cause, or notice of a determination not to reemploy for cause.
- b) When educators have been arrested or indicted for or convicted of any crime that is graded a misdemeanor or felony.
- c) When allegations have been made that an educator committed sexual abuse or exploitation involving a child or student or engaged in sexual misconduct with a child or student.
- d) When there is reasonable cause to suspect that an educator caused physical injury to a child or student as a result of negligence or malice.
- e) When an educator has resigned, retired, or otherwise separated from employment after a school entity has received information of alleged misconduct.

- f) When an educator is the subject of a report filed by the school entity under the reporting requirements of the Child Protective Services Law.
- g) When an educator has been named as the perpetrator of an indicated or founded report of child abuse or named as an individual responsible for injury or abuse in an indicated or founded report for a school employee under the Child Protective Services Law.

The EDA also requires mandatory reporting *by educators* in the following circumstances:

- a) Educators who are arrested or indicted for or convicted of a crime in Section 111(e) and (f.1) of the School Code must report to the school entity of employment within 72 hours.
- b) Educators who know of any action, inaction, or conduct of another educator that constitutes sexual abuse or exploitation or sexual misconduct under the EDA must file a mandatory report with PDE and must report the misconduct filed within 15 days of discovery of the conduct to the chief school administrator *and* immediate supervisor.

The EDA specifically prohibits school entities and educators or education associations from entering agreements in which school entities agree not to comply with mandatory reporting obligations.

Definitions (from § 2070.1b)

Chief school administrator shall mean the superintendent or chief executive officer of a school district, the executive director of an intermediate unit, the director of an area vocational-technical school, the chief administrator of a charter or cyber charter school, the director of a private academic school, or the chief administrator of a contracted educational provider.

Educator shall mean a person who holds a certificate, who is a charter or cyber charter school staff member, or who is a contracted educational provider staff member.

Sexual abuse or exploitation shall have the meaning given to the term by 23 Pa.C.S. Ch.63 (relating to child protective services).

Sexual misconduct shall mean any act, including, but not limited to, any verbal, nonverbal, written or electronic communication or physical activity, directed toward or with a child or a student regardless of the age of the child or student that is designed to establish a romantic or sexual relationship with the child or student. Such prohibited acts include, but are not limited to, the following:

1. Sexual or romantic invitations;
2. Dating or soliciting dates;
3. Engaging in sexualized or romantic dialogue;
4. Making sexually suggestive comments;
5. Self-disclosure or physical exposure of a sexual, romantic, or erotic nature; or
6. Any sexual, indecent, romantic, or erotic contact with the child or student.

As noted above, the EDA provides that “sexual misconduct” is a specific basis for discipline. Sexual misconduct is defined broadly under the Act to include “grooming” behaviors for which the PSPC may direct discipline. In addition, as noted above, educators are required to report the conduct of other educators when it involves sexual misconduct. Educators with questions concerning their obligation to file reports should contact the PSEA Legal Division in Harrisburg.

SECTION 111(E) CRIMES

Permanent Bars to School Employment

Under Section 1-111(e) of the Pennsylvania School Code, 24 P.S. § 1-111(e), an individual will be permanently barred from employment in a Pennsylvania public or private school, intermediate unit, or area vocational-technical school if he or she is or has been convicted of certain offenses. If convicted of one of these crimes, the individual would lose his teaching certificate and would not be able to have the certificate reinstated. These provisions apply to both current and prospective employees. Section 111(e) crimes consist of:

A. One or more of certain enumerated Title 18 crimes (see 24 Pa.C.S.A, § 1801 et seq.), including:

1. Criminal homicide
2. Aggravated assault
3. Stalking
4. Kidnapping
5. Unlawful restraint
6. Luring a child into a motor vehicle or structure
7. Rape
8. Statutory sexual assault
9. Involuntary deviate sexual intercourse
10. Sexual assault
11. Institutional sexual assault
12. Aggravated indecent assault
13. Indecent assault
14. Indecent exposure
15. Sexual intercourse with animal
16. Incest
17. Concealing the death of a child
18. Endangering the welfare of children
19. Dealing in infant children
20. Prostitution-related felonies
21. Obscene or sexual materials and performances
22. Corruption of minors
23. Sexual abuse of children
24. Unlawful contact with minor
25. Solicitation of minors to traffic drugs
26. Sexual exploitation of children

- B. A felony offense under “The Controlled Substance, Drug, Device and Cosmetic Act” (see 35 P.S. § 780-101 et seq.).
- C. An out-of-state or federal offense similar to those listed above in (1) and (2).

Temporary Bars to School Employment

In addition to these permanent bars to school employment, Section 111(f.1) of the Pennsylvania School Code, 24 P.S. § 1-111(f.1), contains three provisions describing temporary bars to employment in Pennsylvania public and private schools. These bars were prospective in Act 24, but under Act 82, the bars may be applied to convictions that predated the passage of these laws. The bar runs from the date the criminal sentence expires. The Section 111 temporary bars include:

- A. Under Section 1-111(f.1)(1) of the Pennsylvania School Code, if an individual is convicted of a felony offense of the first, second or third degree, other than those listed in Section 1-111(e), the person will be barred from employment in Pennsylvania schools for ten years following the expiration of his sentence.
- B. Under Section 1-111(f.1)(2) of the Pennsylvania School Code, if an individual is convicted of a misdemeanor of the first degree, the person will be barred from employment in Pennsylvania schools for five years following the expiration of his sentence.
- C. Under Section 1-111(f.1)(3) of the Pennsylvania School Code, if an individual is convicted more than once for driving under the influence of alcohol or a controlled substance, and the offense is graded as a first degree misdemeanor, the person will be barred from employment in Pennsylvania schools for three years following the expiration of his sentence.

Reporting Requirements

Section 111 of the School Code also requires that current and prospective school employees complete and submit Form PDE-6004 to report any arrest or conviction for a Section 111(e) or (f.1) offense within **seventy-two (72) hours** of the arrest or conviction. The form must be submitted to the school administrator or his/her designee.

It is important to remember that employees who willfully fail to disclose an arrest or conviction will be subject to discipline, up to and including termination or denial of employment, but may also be subject to criminal prosecution for unsworn falsification to authorities, which may result in pension forfeiture.

For further information, please contact your UniServ Representative.

CHILD PROTECTIVE SERVICES LAW (CPSL)

All individuals providing a “program, activity, or service” that involves individuals accepting responsibility for the care of a child are considered mandated reporters under Pennsylvania law. This includes all school employees, independent contractors, and volunteers in addition to other adults such as recreational camp workers, scout leaders, club leaders, and others who come into direct contact with children. Mandated reporters must report any “reasonable cause to suspect child abuse” using specific procedures as described below.

A. Reporting Procedure

Every mandated reporter—whether they are a school employee, health care worker, or member of the clergy—will make child abuse reports in the same manner, as set forth below:

- Step 1.** File an electronic report through the [Child Welfare Portal \(http://www.compass.state.pa.us/cwis\)](http://www.compass.state.pa.us/cwis) or call ChildLine at 1-800-932-0313 to make an initial report. Keep a copy of any written report for your records.
- Step 2.** Within 48 hours of an oral report, file a written report to the county Children and Youth Services (CYS) agency in the county in which the alleged abuse occurred. If an electronic report was filed under Step 1, the county is automatically notified and there is no need to file a written report with the county CYS agency.
- Step 3.** Immediately notify school administration that a report was filed. Keep a copy of this notification for your records.

Once reported, child abuse reports that involve actions that may also give rise to criminal conduct are subject to a joint investigation by the CYS agency and law enforcement. Specifically, this joint investigation will be conducted by a “Multidisciplinary Investigative Committee,” which will consist of CYS and law enforcement representatives. Because most allegations of student abuse by a school employee will likely involve the prospect of potential criminal action, most allegations of student abuse by school employees are investigated by a Multidisciplinary Investigative Committee.

The legal standard for determining when a mandated reporter must make a child abuse report is when he/she has “reasonable cause to suspect” that a child is a victim of child abuse.

Under 23 Pa. C.S. § 6311, mandated reporters (including “school employees”) must report if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

- 1. When mandated reporters come into contact with a child in the course of employment, occupation, or practice of profession; or “through a regularly scheduled program, activity, or service” (e.g., as a parent volunteer in classrooms or on school field trips);

2. When they are directly responsible for the “care, supervision, guidance, or training of the child” or are affiliated with an entity that is directly responsible for the “care, supervision, guidance, or training of the child” (e.g., as a scout leader or religious organization’s youth group leader);
3. When a person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of abuse; and
4. When an individual 14 years of age or older makes a specific disclosure to the mandated reporter that an identifiable child is the victim of abuse.

(Act 33 of 2014).

The child abuse amendments make clear that an alleged child victim is not required to come before a mandated reporter as a prerequisite for the mandated reporter making a child abuse report. Thus, child abuse reports may be based upon hearsay evidence if such hearsay produces “reasonable cause to suspect.” Similarly, no specific identification of a perpetrator of child abuse is necessary before a child abuse report is made. For instance, if a mandated reporter comes upon a child in the course of his/her employment who manifests evidence of physical abuse that would constitute child abuse, but the mandated reporter does not know who caused such physical abuse, the mandated reporter should still make the report of child abuse.

B. Definition of Child Abuse

Child abuse is conduct that is *intentional, knowing, or reckless*, * as those terms are defined in criminal law, done within the most recent two years and that falls into the following categories:

1. Causing bodily injury to a child or creating a reasonable likelihood of bodily injury to a child through any act or failure to act;
2. Fabricating, feigning or intentionally exaggerating, or including a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act;
3. Causing or substantially contributing to serious mental injury to a child through any act or series of acts or failure to act or series of failures to act;
4. Causing sexual abuse or exploitation of a child through any act or failure to act;
5. Creating a reasonable likelihood of bodily injury to a child through any act or failure to act;
6. Creating a likelihood of sexual abuse or exploitation of a child through any act or failure to act;
7. Causing serious physical neglect;
8. Engaging in any of the following acts:
 - a) Kicking, biting, throwing, burning, stabbing, or cutting a child in a manner that endangers the child;
 - b) Unreasonably restraining or confining a child, based on consideration of the method, location, or the duration of the restraint or confinement;
 - c) Forcefully shaking a child under one year of age;
 - d) Forcefully slapping or otherwise striking a child under one year of age;

- e) Interfering with the breathing of a child;
- f) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to the operation of a methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement;
- g) Leaving a child unsupervised with an individual, other than a child's parent, who the actor knows or reasonably should have known:
 - i. Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Ch. 97 subchapter H (i.e., Megan's Law) where the victim of the sexual offense was under 18 years of age when the crime was committed;
 - ii. Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors;
 - iii. Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12;
 - iv. Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.55(b) (relating to assessments) or has to register for life under 42 Pa.C.S. § 9799.55(b) (relating to registration).
- 9. Causing the death of the child through any act or failure to act;
- 10. Engaging a child in a severe form of trafficking in persons or sex trafficking; as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000.

*Intentionally, recklessly, and knowingly have the same definition as the definitions of those terms found in 18 Pa.C.S. § 302

(Act 108 of 2013).

"Serious physical neglect" is defined as "any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development, or functioning" through either of the following: "[a] repeated, prolonged, or unconscionable egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities" or "[t]he failure to provide a child with adequate essentials of life, including food, shelter, or medical care." (Act 108 of 2013.)

"Serious mental injury," is defined as follows: "A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that: (1) renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic, or in reasonable fear that the child's life or safety is threatened; or (2) seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks." 23 Pa. C.S. § 6303.

"Sexual abuse or exploitation" remains a ground of child abuse upon which a school employee may be reported and has the obligation to report. Sexual abuse or exploitation is defined by the child abuse law as follows:

1. The employment, use, persuasion, inducement, enticement, or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to the following:
 - a) Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual;
 - b) Participating in sexually explicit conversation either in person, by telephone, by computer, or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual;
 - c) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual;
 - d) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting, or filming.

This paragraph does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within four years of the child's age.

2. Any of the following offenses committed against a child:
 - a) Rape, as defined in 18 Pa.C.S. § 3121 (relating to rape);
 - b) Statutory sexual assault, as defined in 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault);
 - c) Involuntary deviate sexual intercourse, as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse);
 - d) Sexual assault, as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault);
 - e) Institutional sexual assault, as defined in 18 Pa.C.S. § 3124.2 (relating to institutional sexual assault);
 - f) Aggravated indecent assault, as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault);
 - g) Indecent assault, as defined in 18 Pa.C.S. § 3126 (relating to indecent assault);
 - h) Indecent exposure, as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure);
 - i) Incest, as defined in 18 Pa.C.S. § 4302 (relating to incest);
 - j) Prostitution, as defined in 18 Pa.C.S. § 5902 (relating to prostitution and related offenses);
 - k) Sexual abuse, as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children);
 - l) Unlawful contact with a minor, as defined in 18 Pa.C.S. § 6318 (relating to unlawful contact with a minor);
 - m) Sexual exploitation, as defined in 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).

(Act 108 of 2013).

School employees—who previously had been subject to reports of child abuse for only serious bodily injury—will now be subject to allegations of child abuse for the lesser threshold of “bodily injury” as that term is defined by the child abuse law (see earlier discussion).

School employees have not caused “bodily injury” as defined in the law if there is no evidence that the person acted intentionally, knowingly, or recklessly (as those terms are defined in criminal law) when causing the injury or harm to the child or creating a risk of injury or harm to the child. Thus, for example, school employees who fail to act (e.g., physically intervene) to stop a student fight, but, nonetheless, take some action to stop student fights (e.g., by contacting school administration; by ensuring that other students not involved in the fight are safe) have not engaged in child abuse. Furthermore, the amended child abuse law also provides that “reasonable force for self-defense or the defense of another individual, consistent with the provisions of 18 Pa.C.S. § 505 (relating to the use of force for self-protection) and § 506 (relating to use of force for the protection of other persons) [provisions of state criminal law], shall not be considered child abuse.” (Act 108 of 2013).

The use of reasonable force on or against a child by the child’s own parent or person responsible for the child’s welfare shall not be considered child abuse if any of the following conditions apply:

1. The use of reasonable force constitutes incidental, minor, or reasonable physical contact with the child or other actions that are designed to maintain order and control.
2. The use of reasonable force is necessary:
 - a) To quell a disturbance or remove the child from the scene of the disturbance that threatens physical injury to persons or damage to property;
 - b) To prevent the child from self-inflicted physical harm;
 - c) For self-defense or the defense of another individual; or
 - d) To obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia that are on the child or within the control of the child.

(Act 108 of 2013).

Finally, contact with children taking place in the context of interscholastic sports, physical education, and recreational or extracurricular activities that involve physical contact cannot constitute child abuse. Such conduct is explicitly exempted from the definition of child abuse. As provided for in Act 108 of 2013: “An individual participating in a practice or competition in an interscholastic sport, physical education, a recreational activity, or an extracurricular activity that involves physical contact with a child does not, in itself, constitute contact that is subject to the reporting requirements of this chapter.”

The Employee Should:

1. Contact your UniServ Representative if you have any questions as to whether you should report suspicions of child abuse. The UniServ Representative will advise you regarding your reporting obligation or refer you to an attorney for further assistance. Do not discuss the particulars of your suspicions with anyone else (including your UniServ Representative, your local president, your faculty representatives, etc.).

2. Contact the PSEA UniServ Representative immediately if any charges or any allegations of abuse are leveled against you.
3. Contact your PSEA Region Attorney for consultation if you are involved in any legal proceedings seeking an expungement of an indicated report.

EMPLOYMENT HISTORY REVIEW ACT

ACT 168 OF 2014, 24 P.S. § 1-111.1

Under this section of the School Code, applicants seeking employment with public and private school entities, and independent contractors of such entities, must disclose if they have ever:

1. Been the subject of an abuse or sexual misconduct investigation by any employer, state licensing agency, law enforcement agency or child protective services agency (unless the investigation resulted in a finding that the allegations were false);
2. Been disciplined, discharged, non-renewed, asked to resign from employment, resigned or otherwise separated from employment while allegations of abuse or sexual misconduct were pending or under investigation or due to adjudication or findings of abuse or sexual misconduct; or
3. Had a license, professional license or certificate suspended, surrendered or revoked while allegations of abuse or sexual misconduct were pending or under investigation or due to an adjudication or findings of abuse or sexual misconduct.

Current/former employers must disclose the same information.

Definitions (from Section 1-111.1(n))

Sexual Misconduct has the same definition as the definition of that term found in the Educator Discipline Act.

Abuse is defined as “conduct that falls under the purview and reporting requirements of 23 Pa.C.S. Ch. 63 [the Child Protective Services Law] and is directed toward or against a child or a student, regardless of the age of the child or student.”

BACKGROUND CHECK REQUIREMENTS

ACT 153 OF 2014

School employees are required to maintain up-to-date child abuse clearance statements and criminal history reports (from both the Pennsylvania State Police and FBI) under the Child Protective Services Law (“CPSL”). The FBI report includes fingerprinting. Under the CPSL, school employees include “an individual who is employed by a school or who provides a program, activity or service sponsored by a school.” The term excludes an individual who has no direct contact with children.

For purposes of clearances, a child is an individual under 18 years of age.

Direct contact with children is defined in §6303 of the CPSL as the “care, supervision, guidance or control of children or routine interaction with children.”

Employees having direct contact with children must obtain the following three clearances:

1. Report of criminal history from the Pennsylvania State Police
2. Child Abuse History Clearance from the Department of Human Services (Child Abuse)
3. Fingerprint based federal criminal history submitted through the Pennsylvania State Police or its authorized agent (FBI)

Clearances must be submitted prior to the commencement of employment or service. Beginning December 31, 2014, clearances must be obtained every 60 months. An employee must renew all three clearances 60 months from the date of the oldest of the three clearances.

The Child Abuse, PA State Police, and FBI clearances can all be applied and paid for electronically. All necessary instructions and links to apply for these clearances can be found at <http://keepkidssafe.pa.gov/resources/clearances/index.htm>.

The employee will be responsible for paying the cost of the required clearances if the employer is not willing to cover the cost.

TENURE

A *professional employee* is defined in the School Code to include those who are certified as teachers, supervisors, supervising principals, principals, assistant principals, vice principals, directors of career and technical education, dental hygienists, visiting teachers, home and school visitors, school counselors, child nutrition program specialists, school librarians, and school nurses. “Teacher” is defined as one who devotes fifty (50%) or more of his/her time to teaching or other direct educational activities.

A *temporary professional employee* is employed to perform, for a limited time, the duties of a newly created professional position or of a regular professional employee whose services have been terminated by death, resignation, suspension, or removal.

The key feature distinguishing a temporary professional employee from a professional employee is tenure. Any temporary professional employee hired on or after June 30, 1996, must complete three years of satisfactory service before attaining the status of a professional employee (i.e., before becoming tenured). A temporary professional employee will not accrue seniority under the School Code but will receive retroactive credit for those three years when he/she becomes tenured. Once having achieved tenured status, the individual is not required to serve as a temporary professional employee if employed by any other part of the Pennsylvania public school system.

As a tenured professional employee, an individual is entitled to the statutory protections set forth in the School Code regarding dismissal, furlough, recall, demotions, and sabbatical leaves.

While not entitled to the same extent of protection, a temporary professional employee is entitled to certain rights (e.g., due process of law, which is also discussed in the individual sections). The rights afforded a temporary professional employee are provided by Section 514 of the School Code, the Local Agency Law (2 Pa. C.S.A. §§ 751-754), and the Fourteenth Amendment to the Federal Constitution. Protection for temporary professional employees with regard to furlough and recall are limited under the School Code but may be expanded under a collective bargaining agreement.

NOTE

Receiving a furlough notice prior to the completion of the third year may prevent a temporary professional employee from attaining tenure.

EDUCATOR EVALUATION

Act 13 of 2020 established a revised educator evaluation system that is set forth in the Public School Code at 24 P.S. § 11-1138.1 et seq. The statute as well as the regulations set forth in 22 Pa. Code Ch. 19 detail the educator evaluation process and rating forms required for the annual ratings of certificated educators working at public, non-charter schools in Pennsylvania. The revised system went into effect in July 2021 and differentiates educator evaluations based on tenure status, educator roles, and available data as follows:

Classroom Teachers	Tenured			
	w/ Stand. Assess. Data	w/o Stand. Assess. Data	w/o Building Data	Non-Tenured
Teacher Performance Data				
Observation and Practice	70%	70%	80%	100%
Planning & Preparation	20% (14%)	20% (14%)	20% (16%)	20%
Classroom Environment	30% (21%)	30% (21%)	30% (24%)	30%
Instruction	30% (21%)	30% (21%)	30% (24%)	30%
Prof. Responsibilities	20% (14%)	20% (14%)	20% (16%)	20%
Student Performance Data				
Building Level Score	10%	10%	0%	0%
Assessment	40% (4%)	40% (4%)	0%	0%
1-Year Growth (PVAAS)	40% (4%)	40% (4%)	0%	0%
Attendance Rate	10% (1%)	10% (1%)	0%	0%
Graduation Rate	10% (1%)	10% (1%)	0%	0%
Teacher-Specific Data	10%	10%	10%	0%
Assessment	25% (2.5%)	0%	0%	0%
3-Year Growth (PVAAS)	50% (5%)	0%	0%	0%
IEP Goals Progress	25% (2.5%)	100% (10%)	100% (10%)	0%
LEA-Selected Measures	10%	10%	10%	0%

Non-Teaching Professionals	Tenured		Non-Tenured
	w/ Building Data	w/o Building Data	
Educator Performance Data			
Observation and Practice	90%	100%	100%
Planning & Preparation	25% (22.5%)	25%	25%
Educational Environment	25% (22.5%)	25%	25%
Delivery of Service	25% (22.5%)	25%	25%
Professional Development	25% (22.5%)	25%	25%
Student Performance Data			
Building Level Score	10%	0%	0%
Assessment	40% (4%)	0%	0%
1-Year Growth (PVAAS)	40% (4%)	0%	0%
Attendance Rate	10% (1%)	0%	0%
Graduation Rate	10% (1%)	0%	0%
LEA-Selected Measures	0%	0%	0%

All educators receive one of four overall ratings: *distinguished*, *proficient*, *needs improvement*, or *failing*. Educators are deemed **satisfactory** when rated as *distinguished*, *proficient*, or *needs improvement* with the exception of those receiving a subsequent *needs improvement* rating within four years of the first. Educators receiving a subsequent *needs improvement* within four years or any *failing* ratings are deemed **unsatisfactory**.

Evaluations must occur at least twice annually for temporary professional employees (non-tenured educators). One unsatisfactory evaluation is sufficient to dismiss a temporary professional employee provided the LEA¹ notifies the employee within ten (10) days of the rating. A temporary professional employee deemed unsatisfactory during the last four (4) months of their third year of service may be denied a contract as a professional employee.

Professional employees (tenured educators) may only be evaluated once each year provided that their prior overall evaluation was satisfactory. If a professional employee receives an unsatisfactory evaluation, the LEA may conduct a second evaluation of that employee using the rating form and weightings specific to an *interim evaluation*. This evaluation, regardless of educator role, consists of:

- 30 percent Student Performance as determined by a LEA-selected measure, and
- 70 percent Observation & Practice.

Two (2) consecutive unsatisfactory evaluations that are at least four (4) months apart are sufficient to terminate a professional employee.

Facts to Remember:

1. Both professional and temporary professional employees shall be given an opportunity to sign the rating. Signing the evaluation form does not indicate that an employee agrees with the rating but rather that the rating was received.
2. All educators must be provided with a pre-conference and post-conference for all comprehensive classroom observations. In the event of extenuating circumstances, professional employees may agree to waive the post-conference provided that their rating was either proficient or distinguished; however, this practice is not advised.
3. Educators cannot receive a *needs improvement* or *failing* rating based solely on student test scores.
4. Educator evaluations must be conducted by the Chief School Administrator (superintendent, IU executive director, or CTE administrative director) or by a person designated by the Chief School Administrator, as long as that person:
 - a) is properly certificated as an assistant administrator (not assistant to), supervisor or principal,
 - b) has supervision over the work of the employee being rated, and
 - c) is directed by the Chief School Administrator to perform the rating.

¹ LEA = Local Education Agency, which includes school districts, intermediate units, and career and technical centers.

5. Every school district must maintain a permanent record system containing the evaluations for each educator including related feedback, any Performance Improvement Plans, and the employee input on the development and annual results of LEA-selected measures.
6. A signed copy of the rating form must be provided to the evaluated educator.
7. PSEA maintains that a failure to complete a rating is the equivalent of a *satisfactory* rating.

Unsatisfactory Ratings

1. Two consecutive unsatisfactory ratings of a professional employee not less than four months apart will support a dismissal based on unsatisfactory teaching performance. If an invalid unsatisfactory rating occurs between two valid unsatisfactory ratings, a dismissal is still valid.
2. A teacher who has been called into a meeting to discuss an unsatisfactory rating has an absolute right to have Union representation at the meeting in which the rating is discussed.
3. No teacher can be dismissed based only on low student test scores; dismissal must be based upon “deficiencies in practice” that are supported by a detailed anecdotal record.
4. No unsatisfactory rating is valid unless it is approved and signed by the Chief School Administrator (typically the Superintendent).
5. The district must transmit any unsatisfactory rating to the employee so rated.
6. If an educator receives an unsatisfactory rating, they should contact the local president and the UniServ Representative as soon as possible.

PREPARING FOR YOUR FIRST EVALUATION

It is important for you to know your rights in the evaluation process including those relating to contract renewal and termination as described above in the section “Educator Evaluation.” Formal and informal classroom observations as well as evidence gathered throughout the year will provide the basis for your “Observation & Practice” ratings.

The Observation and Practice component of the evaluation system is based on Charlotte Danielson’s Framework for Teaching:

Domain 1: Planning and Preparation

Domain 2: Classroom (or Educational) Environment

Domain 3: Instruction (or Delivery of Service)

Domain 4: Professional Responsibilities (or Development)

A formal observation must begin with a pre-conference where you and the evaluator meet (in-person or by videoconferencing or phone call) to discuss your upcoming observation. After the observation, a post-conference should² take place where you and the rater discuss the results of your observation and any issues or concerns. Your evaluator must provide documentation of the results of the observation and store any notations with the annual rating form.

As a temporary professional employee, the first indication of problems will most likely be addressed during the first 90-day observation. You can prevent misunderstanding and a lot of hassle by preparing both for the first observation and for all those to follow.

Find out who will be evaluating you. Begin by finding out who will be conducting your evaluation. In most schools, evaluations are the responsibility of a building principal or vice principal, but this can vary. Once you identify your evaluator, set up an appointment to talk to them regarding the procedures and their performance expectations. Some considerations you might discuss include:

- Clarifications on rules, regulations, and policies.
- Procedures for school discipline including office referrals.
- Lesson plan policies and expectations, including formatting or template requirements.
- Permitted levels of curricular discretion in teaching.

After talking with the evaluator, consider talking with a fellow employee who has been evaluated by the same evaluator. Consider asking the following:

- What to expect during the evaluation process,
- To see their lesson plans or other potentially helpful documents,
- If they would watch you teach a lesson and provide some feedback, and
- If they would allow you to watch them teach a lesson.

² See information about extenuating circumstances in “Educator Evaluation” above.

Choose a class that will highlight your strengths. In some districts, evaluators will allow you to suggest a class and/or time for your observation(s). Once you feel you are ready, suggest a class and a lesson that you believe will highlight your strengths. Be sure to provide a copy of the lesson plan and any relevant materials to the evaluator prior to the observation.

As noted above, a pre-observation conference with the evaluator is required by School Code. At this meeting consider discussing:

- Challenging students and how you are working with them,
- Students with special needs who might be receiving differentiated instruction,
- Elements of the lesson plan you wish to highlight, and
- The specific framework that the evaluator will use to evaluate you (typically the PA Department of Education's Frameworks for Observation).
 - Highlight any component areas that may not be related to your role as an educator.
 - Ask for clarification on any elements you find unclear or unsure how to demonstrate.
 - Have the evaluator explain their interpretation of the evaluative criteria and indicators.

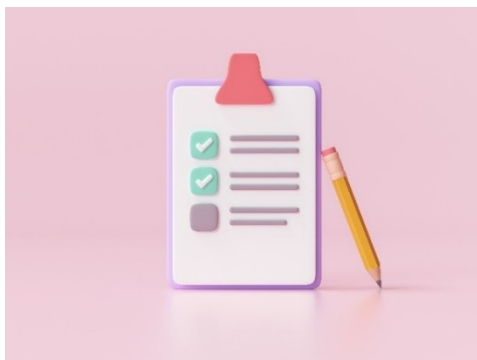
During the observation itself, try as much as possible to act as though the evaluator is not in the room. Follow the lesson plan, but do not hesitate to adapt to meet students' needs or manage the classroom. Take note of time, equity, and engagement.

When the observation is complete and a copy is provided to you, review it carefully. Take note of comments and/or suggestions for improvement. Discuss the observation report with the evaluator at the required post-conference, making sure that you obtain clarification of any comments and suggestions. The feedback provided should be actionable and specific enough to help you understand how to improve to the level of *proficient*—specifications to excel to a *distinguished* level are not required. Consider discussing:

- Areas for improvement including what prevented a *proficient* rating and specific guidelines that can help you improve.
- Suggestions for fellow educators who could model *proficient* performance.

Do not assume that negative comments mean that your job is in jeopardy but take every such comment seriously.

Your Union will assist you. If the observation clearly indicates unsatisfactory performance or if you feel that the observation could be construed as unsatisfactory, then contact your Union officers. Do not try to go it alone. The role of your Union is to assist you and make sure you are treated fairly.



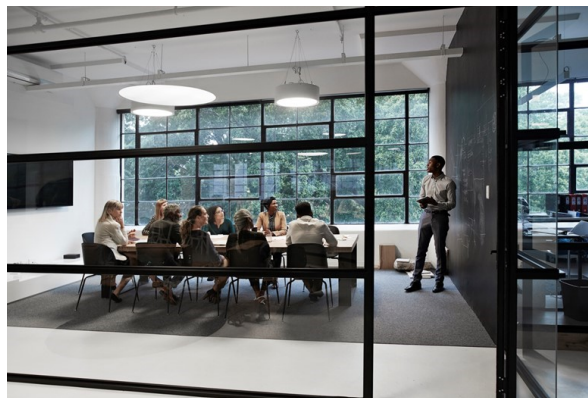
ACCUSATORY MEETINGS

The Law Says:

Where the Association is the certified bargaining representative, any member of the bargaining unit is entitled to have a Union representative present at any investigatory meeting where the result may be discipline. The Pennsylvania Labor Relations Board has held that the employer's refusal to allow Union representation at such meetings is an unfair labor practice in violation of Section 1201(a) of the Public Employee Relations Act and contravenes the employee's rights to engage in protected concerted activities for the purpose of collective bargaining or other mutual aid and protection. However, the employee must request Union representation. Otherwise, the right will be deemed to have been waived. The employee does not have to flatly demand representation though. Simply asking at the outset of the meeting whether or not representation is needed has been held to trigger an employee's "Weingarten rights" to representation at a meeting which turns out to be accusatory in nature.

In order to have a Union representative present, the meeting need not result in discipline. All that is required is that the employee reasonably believes that the meeting might result in disciplinary action. Thus, an employee would be entitled to Union representation at any meeting involving unsatisfactory evaluations and/or ratings, possible dismissal, or investigatory interviews. An example of an investigatory interview would include a teacher being alleged to have started "rumors" that the district failed to comply with state education regulations and was asked about those rumors in an "adversarial manner" by school officials. Moreover, an employee may still have a reasonable concern as to the nature of the meeting even if the superintendent or principal informs him/her that no disciplinary action will result from the meeting.

Once an employer has reached a decision to impose discipline on an employee, however, no right to Union representation arises when a meeting is held simply to inform the employee of, or impose on the employee, that discipline. In addition, while an employee is entitled to Union representation at an investigatory meeting, the employee does not have the right to choose which bona fide Union representative will represent him or her. That decision must be made by the Union.



SEX-BASED HARASSMENT IN THE WORKPLACE

Workplace sex discrimination, including sex-based harassment, is illegal under Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. In general, sex-based harassment is defined under these two laws³ as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when 1) submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, 2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

There are three types of sexual harassment. The first is *quid pro quo*. This type of sexual harassment occurs when the submission to or the rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals. For example, it is unlawful for an authority figure such as a supervisor to condition the granting of a benefit in exchange for sexual favors from a subordinate. A single sexual advance may constitute harassment if it is linked to the granting or denial of employment benefits.

The second type of sexual harassment is *hostile environment*. This type of harassment creates an intimidating, hostile, or offensive working environment, which unreasonably interferes with the individual's job performance or creates a hostile, intimidating, or offensive work environment. This type of harassment usually consists of severe, persistent, or pervasive conduct sufficient to offend a reasonable person and adversely affects the employment atmosphere. *Annoying behavior, such as flirtation or infrequent vulgar language, may not be sufficient to create a hostile environment.*

The third type of sexual harassment is the commission of *specific offenses*. The offenses included in this definition are sexual assault, dating violence, domestic violence, and stalking.

What should the employer do to defend itself against sexual harassment liability? The employer has an affirmative obligation to adopt a clear and comprehensive written policy against sex discrimination, including sexual harassment. The employer must train its Title IX personnel and

³ New guidance, and occasionally new regulations, have been repeatedly published by the agencies that enforce these laws since their passage. Most recently, following the U.S. Supreme Court's decision in Bostock v. Clayton County in 2020, both agencies issued new guidance and/or regulations clarifying that sex-based discrimination, including sex-based harassment, encompasses discrimination based on **sexual orientation** and **gender identity**. Recent guidance has also clarified that discrimination or harassment based on **pregnancy** is sex-based. The most recent guidance available pertaining to sexual harassment as of this writing is available at <https://www.eeoc.gov/laws/guidance/factsheet-sexual-harassment-discrimination> (Title VII) and <https://www2.ed.gov/about/offices/list/ocr/docs/t9-final-rule-factsheet.pdf> (Title IX).

must make its training materials available for public inspection. School employers may also enact a policy requiring employees who learn of sex-based discrimination to report it to the employer's Title IX coordinator. The employer must notify students, employees, applicants for admission and employment, parents, unions, and members of the public of the Title IX coordinator's contact information, and reports can be made at any time by any means that results in the Title IX Coordinator receiving a verbal or written report. Schools must promptly respond to Title IX sexual harassment complaints and follow a grievance process that is transparent, objective, and in compliance with federal regulations. There must be reasonably prompt time frames for the complaint investigation, notice of the outcome of the complaint, and a process for appeals.

If one believes he or she is the target of sexual harassment, the following steps should be taken:

1. Tell the harasser that you dislike the behavior and that you expect it to stop;
2. Keep a written record of all harassing acts;
3. Contact your local Union leadership and UniServ representative immediately should you feel you are the subject of either sexual harassment or discrimination;
4. Follow your employer's policies for reporting sexual harassment; and
5. If you are not satisfied with your employer's response, understand that you have the right to file a complaint with the Equal Employment Opportunity Commission or the Pennsylvania Human Relations Commission.

Unfortunately, there is not a cookie cutter answer to what constitutes sexual harassment or discrimination; each situation is determined by the facts on a case-by-case basis. Know that the employer is responsible for its acts and those of its agents and supervisory employees with respect to sexual harassment regardless of whether the specific acts complained of were authorized or even forbidden by the employer and regardless of whether the employer knew or should have known of their occurrence. Finally, *the alleged harassment or discrimination must rise to the level outlined in the law*. One must understand that sexual harassment or discrimination does not encompass situations where the supervisor or principal is treating an employee poorly. Situations such as, "my principal is observing me every day, my supervisor is giving me a bad schedule because he/she doesn't like me, my principal stares into my classroom, my principal ignores me, my supervisor gave me the worst students in the building," plus a myriad of other similar occurrences do not rise to the level of sexual harassment or discrimination under the law. One must seek another avenue of redress to correct those types of situations.

STEPS TO FOLLOW IF YOU ARE ASSAULTED

1. Try to avoid responding physically. Call or send someone for immediate help. If you have to respond to defend yourself or others, use only appropriate, reasonable force, given the student or perpetrator's age, size, and ability to inflict injury.
2. Ensure that the situation is stable and that a qualified individual assumes your supervisory responsibility for your students.
3. If you suffer injury, seek immediate emergency medical attention. Contact the school nurse or other school health care personnel or call 911 if needed. Make sure that practitioners document your injuries along with any diagnosis or treatment. Ask for copies of any medical reports. Take color photos of your injuries.
4. Contact your building representative or local union officers. With the assistance of your Union Representative:
 - Seek immediate medical help from an Emergency Room if you need it.
 - Immediately record the facts of the incident, including the date, time, location, and names of any witnesses.
 - Immediately report the incident to school administration. Ask administration to document your report and ask for a copy of the record.
 - Depending upon the event, you may ask administration to contact the police. If they refuse, you may, with the assistance of your Union Representative, contact the police and file a report. Unless it is an emergency, PSEA recommends that you speak to your PSEA UniServ and PSEA Region Attorney prior to filing your own police report. (See #6 below.) If you do file a report on your own, make sure to obtain a copy of the report.
 - An assault by someone (student, co-worker, parent) while you are working is most likely to be covered by the district's Workers' Compensation policy. The district may require that, except in emergencies, you select a medical provider from a list of providers. If this is the case and you do not see one of the designated providers, you may be responsible for paying for the treatment you receive.
 - Obtain copies of any doctor's records related to your injuries. Consult your Union Representative for assistance.
5. Contact your PSEA UniServ Representative and PSEA Region Attorney. They will help you determine your next steps, including whether you wish to file charges with the police.
6. In the event you are asked to attend a meeting with administration regarding the incident, ask your Union representative to accompany you. You have a right to Union representation in any meeting where you reasonably suspect that discipline may result. Insist upon the right to Union representation. In the event criminal charges are filed against you and you are questioned about the incident by the police, do not answer any questions or volunteer any information. Tell the police that you need to contact your attorney before you speak further. Immediately contact your PSEA UniServ Representative for a referral to a PSEA-approved criminal defense attorney. Ask your UniServ for details about the NEA liability insurance policy and upfront money described above.
7. The NEA liability policy will cover up to \$500 for damage to your personal property (excluding vehicles) caused by an assault at school or during a school-related activity. Contact your UniServ for assistance.

If you suspect that the student will file counter charges against you, DO NOT make or sign any statements or take any other action until you have consulted with your UniServ Representative and the Region Attorney.

RESPONDING TO ALLEGATIONS OF CHILD ABUSE OR WORK-RELATED CRIMINAL CONDUCT

If you are accused of child abuse or criminal conduct in the course of your employment:

1. **Do not panic.**
2. **Immediately contact your PSEA UniServ Representative in order to speak to a PSEA Region Attorney.** You should make this contact as soon as possible. A PSEA Region Attorney will be able to refer you to a PSEA-recommended criminal defense attorney and advise you as to any reporting obligation to your employer.
3. **Do not make any statements to police, your employer, other school employees, or even your Union representatives before speaking with a PSEA Region Attorney and/or criminal defense attorney.** If law enforcement, CYS personnel, or your administration seeks to interview you before you have contacted a legal representative, you should simply state “I would like to consult with an attorney before I answer any questions regarding the alleged incident(s).”
4. **If criminal counsel is needed, use a criminal defense attorney recommended by PSEA or one who is aware of employment and certification consequences.** In most cases, the PSEA attorney and the PSEA-recommended criminal defense attorney will consult to ensure the best possible outcome for you. This consultation can be critical as to the outcome of a criminal or CYS matter could affect employment and certification.
5. **File a claim under the NEA Educators Employment Liability (EEL) Policy, where applicable, and/or request upfront money under the PSEA Legal Services Policy.** For more information about these member benefits, see pages 11-13 of this manual.
6. **Rely on the advice of attorneys with respect to any employer investigatory meetings and Loudermill (due process) meetings, and for the filing of any unemployment compensation claims.** A criminal or CYS investigation should be the priority, as the outcome may have a long-term impact on future employment and certification. Any employment or certification issues will be addressed after the resolution of any pending investigations by law enforcement or CYS.
7. If accused of a criminal action related to school, you may be suspended pending the outcome of either a police investigation or a CYS investigation or both. The suspension will be resolved in the event that the investigations fail to find fault with your actions.

RETIREMENT INFORMATION

The following retirement information is for new members of the Public School Employees' Retirement System (PSERS) whose service commenced on or after July 1, 2019. Employees who were members of PSERS prior to this date should contact the Union for more detailed information on their benefits.

Class of Service: The “class of service” that you are assigned or elect when you join the retirement system will determine your retirement benefit. When you are first enrolled in PSERS by your employer, you will be enrolled as a Class T-G member. Class T-G provides you a hybrid retirement with both a Defined Benefit (DB) and a Defined Contribution (DC) component for your retirement benefit and offers you the guaranteed highest monthly benefit at retirement. You will then be notified by PSERS that you have the option to switch to a different hybrid membership class (Class T-H) with a reduced DB benefit and different contribution rate or a defined contribution only class (Class DC).

IMPORTANT

You do not have to do anything to remain as a Class T-G member. But once the time period for you to elect one of the alternate plans expires, you will remain in the class of service you were assigned or elected for the remainder of your career. PSERS will notify you of the deadline for a decision.

In addition to the decision on your class of service, you will also decide how you wish to invest the funds in your DC account.

Rate of Contribution: There is a total employee contribution rate of 8.25% for Class T-G members, 7.50% for Class T-H members, and 7.50% for Class DC members that will be deducted from your salary. Both Class T-G and T-H members are part of a shared risk/shared gain plan adopted by the legislature that ties the rate members pay to PSERS longer term investment performance. The rate you pay can go up or down by 0.75% once every three years, but it will never be higher than 11.25% (T-G) or 10.5% (T-H), or lower than 5.25% (T-G) or 4.5% (T-H). Class DC members are not part of the shared risk/shared gain plan and the rate these members pay is fixed at 7.5%.

You will also have the option of making additional voluntary contributions to the DC portion of your retirement plan to enhance your final retirement benefit, but those additional contributions are with post-tax dollars.

In addition to the contributions you pay toward your benefits, the state and your employer will also be making contributions to help fund your retirement benefits.

Nomination of Beneficiary: All new members of the PSERS must complete a Nomination of Beneficiaries form (PSRS-187). This form is a legal document. You are the only person who can change or alter the form. Forms that are **incomplete, contain erasures, or are in any way altered** will not be accepted by the PSERS.

If you wish to name an executor or trustee, identify that person on the form. A minor cannot be named as an executor or trustee.

Two witnesses must sign the Nomination of Beneficiaries form. An individual named as a beneficiary cannot be a witness.

If you wish to name two or more persons as beneficiaries, designate the percentage that each is to receive, with rights to survivors. List each named beneficiary in the left column. You should **use designated percentages (50%, 33-1/3%, 25%, etc.)**, not fractions (1/2, 1/3, 1/4, etc.).

When your personal circumstances change, e.g., marriage, divorce, death of a named beneficiary, etc., you must file a **new** Nomination of Beneficiaries form to protect yourself and your loved ones.

Be sure to photocopy the completed Nomination of Beneficiaries form and keep the copy with your other personal legal documents.

Vesting: Upon completion of ten years of credited service in PSERS, you will be vested in the DB component of your retirement benefit. This means that your beneficiary will be entitled to death benefits should you die in service, and you will be eligible for an immediate or deferred pension benefit upon terminating school service.

For the DC component of the retirement benefit, you will be vested upon completion of three years of credited service. This means that the employer contributions that have been paid on your behalf prior to you vesting will now become part of your account along with any earnings on the contributions.

Retirement Benefit:

For Class T-G and Class T-H members of PSERS, the DB component of your retirement is based on a formula that includes your years of service, the average of your five highest years' salary, and a retirement multiplier of either 1.25% (Class T-G) or 1.0% (Class T-H) depending on the election you made when you first became a member of PSERS.

The DC component of your retirement is based on the amount of contributions made by you and your employer and the investment performance on those contributions. Your contributions have the potential to grow based on investment earnings but are not guaranteed against loss in declining investment markets.

If you are a Class DC member, your retirement will be entirely based on a DC plan.

Disability Retirement: If you have at least five years of credited service in PSERS and find that due to a disability you are no longer able to fulfill the duties of your job, you can apply to PSERS for disability retirement. The decision on granting a disability retirement is medically based. A disability retirement application must be submitted within two years of your last day of active service or your last day of paid approved leave of absence, whichever is later.

Forfeiture of Pension: There are three reasons that you may lose your DB pension benefit. The first is misappropriation of school funds. The second is the conviction of certain sexual crimes committed by school employees against students. The third is the conviction for a number of serious criminal offenses, if committed by school employees in association with their employment.

TIPS



FOR



TEACHERS

ABC'S FOR NEW TEACHERS

Admit your mistakes – and learn from them

Be firm, but flexible

Communicate with families

Don't let them see you sweat

Empower your students; don't just lecture to them

Find a way to eliminate stress

Get to know all the teachers in your school and make friends with the cooks, custodians, instructional assistants, and secretaries

Have the courage to try something else if what you're doing isn't working

Institute a clear discipline policy and enforce it consistently

Just listen – both to what the kids are saying and to what they're not saying

Kee a journal

Laugh at yourself

Make it a point to ask

Non-carborundum ignorami (Don't let the imbeciles wear you down)

Overplan

Prepare engaging lessons

Quit worrying and do your best

Remember that you teach students first, then you teach whatever academic discipline you learned

Stay alert

Take time to reflect on student progress and adjust plans accordingly

Understand that the learning process involves everyone – teachers, students, colleagues, and families – and get them all involved

Volunteer to share projects and ideas, and don't be afraid to ask others to share their ideas with you

Work within your limits

Xpect the unexpected, and plan for it!

Yell if you need support

Zero in on your strengths, not weaknesses. No one is perfect!

HOW TO SPOT A GREAT CLASSROOM

Classrooms and teachers need to motivate, challenge, and actively involve children in learning. Take this checklist along when you visit another class and look for these characteristics in a great classroom:

General Characteristics

- Interaction among students, teachers, families and the community
- Support for student-centered learning, reflected by differentiated instruction
- Collaborative learning, with encouragement among students
- Language, arts, history, and math integrated with the entire curriculum (thematic learning)
- A focus on events, issues, and concepts from the perspectives of diverse racial and ethnic groups
- An understanding of the impact and contributions made by the various cultures in the United States
- A focus on reasoning and problem solving, rather than simple recall of facts
- A motivation to continue learning and education beyond high school

The Classroom

- The classroom is filled with different kinds of learning materials: science center, reading centers, listening centers, computers, etc.
- Reading materials other than textbooks are available
- Student work is displayed throughout the room
- Classroom has organized, clear routines and procedures

The Teacher

- It's clear that the teacher likes the students and shows them respect
- The teacher makes it clear that top performance is expected from all students
- The teacher praises student effort and specific performance in an appropriate way
- The teacher uses both individual and group learning activities
- All students are exposed to a curriculum that is rich and integrates information from different subject areas
- The teacher presents information to students in various ways: through seeing, hearing, or experiencing it
- Creativity and flexible thinking are encouraged
- Critical thinking and problem solving are emphasized, not rote learning and memorization

The Students

- The students are actively involved in the learning process
- The students treat one another and the teacher with respect
- The students look like they're genuinely having fun
- The students can articulate what they are learning

ENCOURAGING COOPERATION

People nurtured on cooperation, acceptance, and success have a much greater chance of developing a strong self-concept. Through cooperative ventures, young people learn to share, to empathize with others, and to get along better. Competition creates winners and losers. Cooperation lets everyone be winners.

You can help students recognize that their worth as individuals is independent of winning or losing in a game or contest.

Emphasize the cooperative aspects of competition.

- In preparing for competitions such as spelling bees, have participants study together for the contest
- Teach team members to be supportive of each other
- Teach team members to be supportive of their team without denigrating opposing team members

De-emphasize the importance of scores and winning in competitive games.

- In games such as softball and kickball, all members of one team have their turn before exchanging sides
- Combine the points of both teams with the emphasis on getting the highest total scores
- Don't keep score at all
- In board games such as Scrabble, combine the points of all players, with emphasis on making the highest possible score

Emphasize the cooperative aspects of competition.

- In games such as softball or kickball, have the runner run all the bases and the fielders throw to all bases
- In academic areas, have students keep records of their individual growth in skills
- Discourage the comparison of individual growth records and report cards

Make use of cooperative assignments.

- Give one worksheet to two students to work on as a team
- Give assignments to small groups that can be accomplished only by group effort
- Divide the total group into subgroups and let individuals within each subgroup respond to one another's written work according to established criteria

12 WAYS TO MAINTAIN CLASSROOM DISCIPLINE

The responsibility for good student discipline rests primarily with the classroom teacher. Most authorities agree that without a comfortable disciplinary situation, the teacher's job becomes frustrating and often unbearable, and as a result, little teaching or learning takes place.

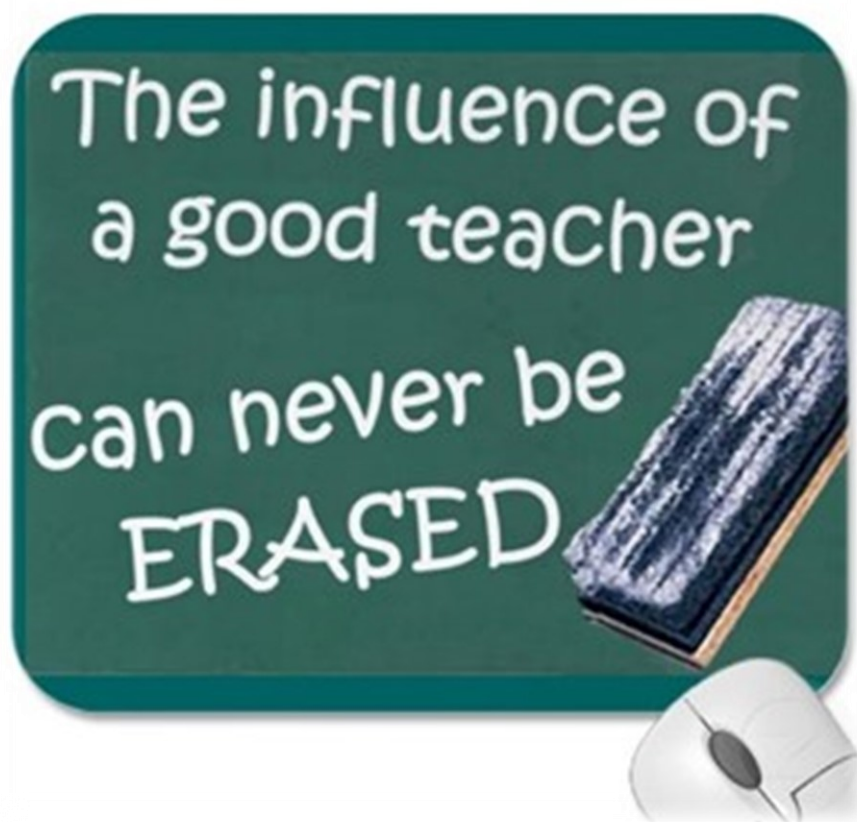
It is very important that behavior patterns that are to be followed by the students are established clearly and immediately. Students welcome reasonable discipline and have respect for teachers who follow a consistent policy.

Get copies of the school district and/or building discipline policies. The classroom should reflect the district guidelines.

Helping students to govern their own behavior in ways that help them learn is a longstanding goal of all teachers. There are a number of ways in which a teacher can promote good discipline. Your colleagues who have "been there" offer these suggestions for better classroom discipline.

1. **Be friendly.** Be the kind of person children like and trust. Be firm, fair, friendly, courteous, enthusiastic, and confident. Keep your sense of humor.
2. **Keep your classroom orderly.** A disorderly one might encourage disruptive behavior.
3. **Get to know your students.** You will soon develop almost a sixth sense for anticipating trouble before it begins. Don't act as though you expect trouble, or you will almost certainly encounter some.
4. **Make learning fun.** Make education interesting and relevant to students' lives. Poor planning and a full curriculum can provoke disruption.
5. **Don't use threats to enforce discipline.** Never humiliate a child.
6. **Avoid arguing with students.** Discussions about class work are invaluable, but arguments can become emotional encounters.
7. **Let the students know you care.** Determine jointly with the class what is acceptable in terms of behavior and achievement and what is not. Show interest in what students say.
8. **Develop class rules.** Use approximately five rules.
 - State them clearly
 - Make them short and easy to memorize
 - State them positively
 - Get a commitment (show of hands, vote, contract, bulletin board display)
 - Teach each rule (share expectations)
9. **Establish a plan with no more than five consequences for behavior.** These can include a warning, a timeout, a longer timeout, calling the parents, or going to the principal. Make sure students know and understand the consequences.
10. **Notice good behavior.** Children need to know what they are doing well, in addition to knowing the things they need to change. Catch children when they are sharing, helping other children with hard tasks, and dealing well with frustration and immediately compliment them. Be explicit with your praise.

11. **Give reasonable assignments.** Don't use schoolwork as a punishment. Give clear directions. Don't assign work that students cannot complete independently.
12. **Be fair to all students.** Some ways to help win the respect of students:
- Be consistent in application of discipline and just in requirements and assignments.
 - Don't refuse to let a student tell his or her side of the situation. Be willing to consider mitigating circumstances.
 - Don't talk about the misdeeds of a student, except to those who have a right to know.
 - Don't openly compare one pupil to another.
 - Apologize if you've treated a student unjustly.
 - Make sure consequences are appropriate for the misbehavior and explain to the student why he or she is being punished.
 - Show courtesy to every student, and display trust and confidence in them all. Avoid showing dislike.



Thoughts to Ponder . . .

- ☑ **Threats and punishments** are by their nature punitive; they are adult oriented, are based on judgment, and impose power from without instead of acknowledging the power within children. They arouse anger and resentment and invite more conflict. Most important, they rob a child of his/her sense of dignity and self-worth.
- ☑ **Encouragement inspires.** It imparts courage and confidence. It fosters and gives support. It helps a child develop a sense of self-pride and enhances internal motivation. Encouraging a child means that one or more of the following critical life messages are coming through either by word or action:
 - I believe in you
 - I trust you
 - I know you can handle this
 - You are listened to
 - You are cared for
 - You are very important to me
- ☑ **Rules should be simple.**
 - Deal with situations you can see.
 - Be specific when negotiating and/or creating classroom rules. Privileges and consequences should be relevant and meaningful to students.
 - If a rule is broken, don't argue about it – concentrate on the behavior.
- ☑ **Expect the unexpected.** Schedules will be changed without warning and unanticipated events will occur. Be flexible in responding to the unexpected. Ask your professional colleagues for suggestions on how to deal with situations like the following. What will you do if:
 - It rains at recess time?
 - Your class arrives too early at the cafeteria?
 - A student tells you her pet died?
 - A student tells you she is pregnant?
 - A child wets his pants?
 - A student is verbally abusive?
 - A parent is angry and unreasonable?
 - Non-English-speaking students are assigned to your class?
 - You have no textbooks?
 - A student falls asleep?
 - A student cuts her head falling out of her desk?
 - You are called to the office in the middle of class?
 - A student refuses to do what you ask?
 - A student has a seizure?

EXPERIENCED TEACHERS SHARE THEIR INSIGHT

Great Ideas . . .

1. "I now insist on eye contact from the minute they walk in the door. It works. I have looked at them; I know them. Students can't feel anonymous. 'All right, which one of you is throwing spitballs?' does not work."
2. "I never raise my voice to get the attention of students. Instead, I use hand signals that students can copy. They become so busy trying to duplicate my hand movements, they forget to talk."
3. "I rely on my two favorite teaching tools: zip-up bags and the cardboard cases soft drinks come in. The bags are good to corral anything that you don't want wandering around loose. And the cardboard boxes, when cut down, make great trays for passing out materials."
4. "I've learned to be consistent, to offer students routines and discipline. Kids need that kind of security in the classroom – an environment where there are rules that are shared by all."
5. "I've learned to recognize students as persons; to ask them if they're feeling better; to ask them if they brought in an absentee note; or to just say 'Hi, I know you're in the room; you're more than just a little question-and-answer machine to me'."
6. "I wish I hadn't felt obligated to deal with what was in my lesson plans all the time. When kids really wanted to know the answer to something, I'd put that motivation on the back burner because it didn't fit that plan, and I lost out on some opportunities."
7. "I wish I'd known not to sweat the small stuff."
8. "I believe in giving people attention. I do it with the help of a crate, a perfect little stage. Kids stand on this 'soap box' whenever they have a story to read or something to share, because, let's face it, kids love to ham it up." (From a 21-year veteran who tells his third graders, "I can tell you're listening if I can see your eyes.")
9. "I wish I had been better prepared in writing." (From an elementary teacher who now gives writing workshops to others in her school.)
10. "I've learned to give kids time to think after I ask the question."
11. "I wish I'd realized how important everything you say to a child is. I don't think you realize how important all the comments you put on the papers (and the little smiling faces and the stickers) are to a child."

A Good Start . . .

12. "I call attendance each day by saying, 'Good morning, Susie Smith!' and Susie answers with 'Good morning, Mrs. Geisdorf!' Children become familiar with my name and how to pronounce it. And it always gets the day off to a good start."
13. "I like to keep in mind the simple advice: 'Be yourself.' Use what you've learned as a launching pad for your own ideas."
14. "I don't think enough can be said about the use of peer tutoring. Too often, teachers feel that the teaching must come from the adult in the classroom. Don't be afraid to share some authority and responsibility for classroom learning."
15. "I think the most important thing I could pass along is to put all of your efforts into excellent teaching, but not 'perfect' teaching. There's no need to keep your class pin-drop quiet, to pass the 'white glove' test, when you can have a slightly cluttered room lovingly decorated with kids' art and work."

Meeting Standards . . .

16. "Be the kind of person you want the students in your class to be. If a teacher doesn't live up to his own standards, how can the children believe they are important?"
17. "I avoid favoritism by purposely choosing a teacher's pet. Every child has the job for a day as part of the secret rotation. My pet does all the tasks that students love to do."
18. "I take 'time-outs.' I set up a time-out desk for any child who would like to calm down for a moment. The child gets to take a breather, and I don't have to send him out of the room."
19. "I call parents when children do something well."
20. "I have students keep a diary. They have a daily record of progress, and I have an ongoing picture of the child's life."
21. "I enjoy the kids more now. I take a situation that may be tense and look at it on the lighter side. I'm wiser today than yesterday because I've learned there's no one right way to do things."

DOCUMENT ... TO PROTECT YOUR RIGHTS

Maintaining your own up-to-date personal and professional records is every bit as important as keeping your lesson plans and grade book organized.

You should have the following documents on hand:

- Your collective bargaining agreement
- Your policy manuals and contract
- Certification(s) and Endorsement(s)
- Records of in-service, Act 48 hours, or advanced academic credits earned
- All evaluations, including student performance measures and your responses or comments
- Records of college attendance, dates, and degrees
- Proof of Union membership
- Transcripts of undergraduate and graduate credits and degrees
- Record of accumulated sick leave and personal leave days
- Records of commendations, awards, and honors
- Copies of teaching schedules for current and past years
- Records of incidents involving discipline, violence, or other disruptive student behavior
- Copies of letters to and from administrators
- Copies of letters to and from parents and colleagues
- Copies of all documents in your files
- Your most recent annual Statement of Account from PSERS
- Copies of your child abuse clearances and criminal histories (PA and FBI)



S.O.S. (SURVIVAL OF SUBSTITUTES)

You aren't planning on it right now, but sometime in your future, you're going to miss a day of school.

Prepare in advance to help create a welcoming classroom for the educator who fills in. Substitute teachers—including co-educators covering your class and classroom monitors—will have many of the same questions you have as you enter your new role. Many schools and districts have required substitute plans and resource packs, ready-to-go online instructional materials, or an online form that you might be required to prepare to assist substitute teachers. Be sure to ask your co-educators and/or administrators to find out about any such policies and practices.

If your school or district does not have set substitute preparation procedures, or if you feel that those required are not sufficient to prepare a substitute, consider creating a file folder or notebook labeled "SUBSTITUTE" to assist incoming educators. Be sure it is easy for the substitute to find and update. A substitute can work best (and is most likely to return if and when you need them again) if you make sure all the tools and materials they need to succeed with your students are handy.

Here are some suggestions for what to include:

- ***Your schedule of classes***, including regular classes, special classes (day and time) and an alternate plan in case special classes are canceled.
- ***Names and schedules of students*** who leave the classroom for special reasons such as medication, remedial or gifted programs, speech, etc.
- ***Class roll***, including your seating chart for regular activities and special work groups.
- ***Opening activities***: absentee report, procedures for reporting lunch count, etc.
- ***Lesson plans***, or where to find the plan book (include alternate plans in case the lesson depends on resources only you have).
- ***Classroom rules*** and discipline procedures (include any district policies and notes about special cases).
- ***Location of all manuals*** and materials to be used.
- ***Procedures*** for use of AV materials and equipment including any related log on information for both the educator and students.
- ***Names and schedules*** of education services professionals.
- ***Names of pupils*** who can be depended upon.
- ***Strategies that work*** when the class or specific student(s) exhibit challenging behaviors.
- ***Name and location*** of a teacher who can be called upon for assistance.

- **Procedures for sick or injured students:** location of nurse's office, district policy on dispensing medication, notes on allergies or special needs.
- **Procedures** for emergency drills and both regular and early dismissal.
- **Floor plan** of building, including emergency drill routes.
- **Prepare your students.** Younger students need to be reassured that you will return. Older ones need to know that you will be in possession of information about their behavior and progress.
- **School safety.** Procedures for lockdowns, evacuations, and other emergencies



TIMESAVING TIPS THAT WORK FROM EXPERIENCED TEACHERS

“Bulletin Boards! Line your board in layers of background paper before school starts. The color I wanted in May went up first. Then I put on March, December, and last was September. As the months roll around, I just take the top layer off. However, I recently painted my background bright green and royal blue with an inexpensive brand of latex. I have two of each color. Even when I’m changing the pictures on the board, I have nice looking boards. I no longer waste paper to cover the boards. An added bonus: I’m saving the trees!”

“I do as much work as possible during the school day. I try not to take any grading home on weeknights. Anything left I take home on the weekend and spend my Sunday afternoons getting caught up. Just knowing that I might have to give up part of my weekend makes me work harder during the school days. But ask me again next week – this weekend I have to proofread 25 research papers in addition to my regular work!”

- Put basic weekly schedule in plan book.
- Make lists for almost everything you do. It will help you stay on task.
- Do all copying at the end of the week.
- Take a couple of minutes at the end of each day to review your use of time that day.
- Papers can be (and often are) misplaced, but letters, lesson plans, teaching units, worksheets, etc., can be pulled up, reviewed, revised, and reprinted in a matter of minutes. Be sure to name the files something you recognize instantly, and always keep a backup.
- Put a post-it note on your steering wheel listing the places you have to stop, in the order that you’ll come to them. That way, you won’t forget any stops.
- Get a checkbook balance calculator.
- Keep a notebook with a page for each child. When students borrow a book from the classroom to take home, write title and date on page, paper clip a slip of paper to each book for parents to fill out.
- Organize materials into folders for individuals and groups. The time spent setting it all up is more than worth it in time saved later.
- Cook small roasts or frozen turkeys in the crock pot all day.
- Cook enough on weekends to have leftovers during the week.
- Always make your lunch the night before.
- Use “waiting time,” such as doctor and beauty shop appointments, to plan and evaluate. Always have your calendar with you.
- Computerize as many of your school functions as you can. It will save a lot of hours over the long haul.
- When writing reports...on paper or computer, create a written or typed form for the information you always or generally use and make copies.
- Have lesson plans for the following week completed by Thursday to free up weekend time.

ORGANIZATIONAL AND TIMESAVING TIPS FROM NATIONAL BOARD-CERTIFIED TEACHERS

Color-coding Lesson Plans. “I have found it helpful to color code my lesson plans which I prepare a week in advance. I use a yellow marker to highlight the unit, chapter, and lesson headings, as well as objectives and the core curriculum standards being emphasized that week. The lessons themselves are not color-coded, but as I complete each one, I use an orange marker to show what has been completed. It keeps me on track and a substitute can see just where to begin a day’s work.”

Getting Everyone Organized. “During my first years of teaching I noticed that my students needed improvement in organization. Another problem was my own lack of organizational skills. It was impossible to determine whether a student had turned in an assignment which I did not receive, or whether the student was taking advantage of my obvious weakness. To alleviate these problems, I do the following:

1. Write what we are doing that day and what is due on the board in my room.
2. Remind them about upcoming events and quizzes.
3. Pass out to each student a biweekly outline, which includes exactly what we will be doing in class.
4. Give students a “turn in papers” pocket folder. The folders are color-coded for each class. In the left pocket goes the current biweekly outline and, in the right, goes any assignments due that day.
5. Students keep track of exactly what is due by referring to the outline that is always in their folder.
6. Students remove all graded papers daily from the “turn in papers” folder and replace them with those that are due that day.

Since I have instituted this procedure, I have yet to lose a paper. Many students have commented about how helpful the outline is and several of my colleagues have adopted it. This has made my job teaching much more organized!”

Post-it Flags. “I found the Post-It brand tape flags an excellent and inexpensive way to have students reach information in their textbooks quickly and easily with minimum difficulty. The flags can be moved daily as they progress in their textbooks and do not damage the print of the book. Students can use one flag for nearly the entire year and with the cost of \$1.37, it doesn’t break the bank. The students enjoy moving the flags and also feel privileged to have their books marked like their teacher’s. You can also write in pen or pencil on the flag to specifically identify

the section of the book, like the index, answers, glossary, etc. I also find them handy in my grade book, eliminating those troublesome paperclips I used to use to mark each different class that I teach.”

Homework Box. “Teaching 130 middle school students makes it difficult to keep track of who was absent and for how many days in order to remind students of the work to be made up. Instead of assuming all the responsibility myself, I have a Homework Box in the room with 5” x 8” cards. Each day a reliable student in my first period (and each class after that) takes a card to her desk and notes the day’s homework assignment, the general idea of what was done in class, text pages used, and if a handout was given. This is done very briefly, note-like. By the end of class, I find time to quickly check the day’s card for accuracy and completeness. The card is dated and filed chronologically in the Homework Box. Next to the Homework Box are folders for each class. Handouts go into the folders. As I distribute handouts, I quickly put the names of absent students on individual handouts. Students are regularly reminded to check the Homework Box and folders for work after absences. Now, the responsibility for making up missed work lies a bit more with the student.”

Try a Semi-Circle Instead. “I never have students line up in a straight line before entering the room. Instead, I have them line up in a semi-circle facing the door. That way, right when I open the door, I can see all of the students’ faces. I now see what they are wearing and can greet them all at the same time. I never have to worry about getting the attention of the back of the line.”

Standing in Class. “When engaging in class discussion or questions, I always move to the opposite side of the room from the student who is talking, leaving most of the class between us. This keeps the students (and me!) focused on the class as a whole. It also forces quiet students to speak up!”



STRATEGIES FOR CREATING A SUPPORTIVE CLASSROOM CLIMATE

Engagement is a process of events and opportunities that lead to students gaining the skills and confidence to cope and feel safe in school.

- Be a role model. Treat all students and colleagues respectfully.
- Be proactive. Teach the difference between respectful debate and intolerant dialogue and name calling.
- Be available. Check in with students regularly to see how they're doing. Let them know you're available to talk.
- Listen. Engage students in conversation about what's happening in their lives and listen actively.
- Be positive. Encourage and model positive thinking while also providing positive strategies for dealing with adversity.
- Have fun. Being humorous and having fun are great ways to encourage personal connections and help students feel like they're part of a positive climate and culture.
- Teach more inclusively. Integrate examples of people from different backgrounds into lessons, stories, and discussions. Use inclusive language and avoid organizing the classroom by gender or stereotype.

REMEMBER: Be discreet and maintain confidentiality. Never put individual students on the spot by asking them to talk about their heritage, religion, sexual orientation, or any other aspect they may consider private unless they want to share with the class. Don't announce when a student is having problems; rather, help each student privately whenever possible.

Safety pertains to the security of the school setting and school-related activities that encompass emotional and physical safety.

- Intervene. Step in to help during problematic situations. Students prefer that teachers actively use their power as adults and professionals to identify concerns and offer solutions.
- Make a safe, bully-free culture the "norm." Talk about bullying on a regular basis.
- Encourage students to do what they love. Special activities, interests, and hobbies can boost confidence, help young people make friends, and protect them from bullying behavior.
- Keep communication open. Make time for daily conversations about students' lives and feelings and ask a variety of questions. Talk about bullying with them. If concerns come up, be sure to respond.
- Stay on top of things. Read and learn about bullying. Create supportive ground rules for your classroom.
- Use positive terms. Tell students what to do—not just what not to do.

- Teach positive relationship skills. Encourage students to be successful!

Environment includes all aspects of a school that promote student safety and student health.

- Walk your talk. Weave positive behaviors into daily interactions with students and colleagues. Follow the rules yourself. Show students respect.
- Set a positive tone in your classroom. Manage student behavior well, demonstrating appropriate boundaries and expectations for positive relationships.
- Examine your own beliefs. Become more aware of your own assumptions, biases, or stereotypes. Do you expect boys to act one way and girls another? Challenge these assumptions and intervene when you hear others using questionable assumptions.
- Treat students fairly. Work directly with both students who are being bullied and students who are bullying others.
- Establish a culture of belonging that includes all students. Make everyone feel they belong and talk about differences in respectful and informative ways.
- Engage parents and youth. Work together to send a unified message against bullying.
- Create a safe environment. Have classroom meetings. Work with students to create and launch an awareness campaign in their classroom and school.

Note: The content for this section on “Creating a Supportive Classroom Climate” is adapted from the US Department of Education’s National Center on Safe Supportive Learning Environments. This resource reflects the content found on Information Sheet 5 of the Module 2 Self-Study: Creating a Supportive Classroom Climate: Strategies for Creating a Supportive Classroom Climate (p. 36-37) available at <https://safesupportivelearning.ed.gov/sites/default/files/NCSSLE-Safe-Respectful%20Mod-2-SlfStdy-508.pdf>.

REMEMBER to know and follow local policies. Review district and school policies regarding bullying and harassment, gender identities, and the curriculum. Support and engage students within the allowances of those policies.

ORGANIZING PHYSICAL & DIGITAL LEARNING SPACES

As a new educator, organizing your classroom environment can seem a daunting task. According to the PA Department of Education (2021, p. 15), in high-quality educational environments: “The teacher organizes classroom space to engage all learners and makes safe use of physical and virtual space. The learning environment is accessible to all learners and engages students in digital tools and platforms to enhance learning.” Use these mnemonics to help you organize your learning environment.

Organize the environment to TAPER your scaffolding.

T	Make appropriate use of available TECHNOLOGY to support productivity and efficiency.
A	Ensure learning environments are ACCESSIBLE and arranged to ACCOMMODATE students, as necessary, supporting instructional goals and learning activities.
P	PROACTIVELY investigate student needs and design the space to engage and accommodate various learning profiles.
E	Ensure physical and virtual environments are safe by defining and posting EXPECTATIONS for student behavior.
R	Direct student when and how to access and use RESOURCES for engagement and high-level learning.

Text modified from PDE’s Classroom Teacher Framework for Observation & Practice (2021, p. 15, proficient).

For proactive seating arrangements, think: MAGICAL!

M	Keep MOVEMENT in mind—the teacher’s movement around the room and the students’ movements and access to supplies, the teacher’s desk, learning stations, and the door.
A	Keep your seating ADAPTABLE to accommodate various learning experiences. Desks or tables should be arranged so they can be moved easily by the teacher and/or students.
G	Consider GROUPING student desks to allow two to four students to sit together for quick teamwork.
I	Be INTENTIONAL about student placement to be proactive about classroom management and peer supported learning.
C	CHANGE the seating at least once per grading period, particularly if there are students who need to be separated.
A	Ensure ACCESSIBILITY by attending to student needs when creating seating arrangements. Consider students’ supports, assistive devices, specialized services, and sensory needs.
L	Modify the LAYOUT based on the instruction such as using a circle during whole class discussions or pods during small group work.

Remember to PACE your visuals for both in-person and remote instruction.

P	Make sure visuals are PROFESSIONAL . Sloppy or crooked visuals or those with misspelled words, can suggest a lack of care about the topic or student learning in that content area.
A	Check for ACCESSIBILITY . When students cannot see or access a visual in another way, they can become disengaged and lose motivation.
C	Use CLEAN and CLEAR visuals. Visuals should be easy to see, free from inappropriate content, and avoid smudges and watermarks.
E	Choose ENGAGING visuals. Select visuals that are colorful, interactive, related to your students, and/or highlight materials in new ways to keep students' attention.

METHODS TO FOSTER SAFETY AND CARING

Teachers should implement a variety of methods to foster safe, caring relationships for all students.

- ☑ Use class and **team building** activities regularly – building on current lessons and/or character education traits.
- ☑ If possible, **greet students** as they enter your room each and every day. Get to know their habits and interests so you will have things to ask them about beyond the normal schoolwork.
- ☑ Keep students **emotionally safe** – do not embarrass them in public; do not use sarcasm to make points; do not allow students to use sarcasm or name calling.
- ☑ Teachers are **role models** who can instill leadership traits in their students.
- ☑ Students have human needs:
 - **Feed the brain** – snacks high in protein that parents can assist in providing
 - **Water the body** – during a long test, students may need water to re-hydrate the brain
 - **Provide relief** – standing intermittently helps circulation of blood to the brain and rejuvenates the body
 - **90 seconds** after the first bell rings, engage students in some activity. It sends the message that teachers are prepared and that the lesson is important. This can be done with a humorous story, a story with a moral, a group activity to review lessons from previous days, focus questions, or a journal activity.

Beginning class on time and engaging all learners conveys classroom community is important, time together is important, and that learning is important.





*“Teachers who love teaching,
teach children to love learning.”
Unknown*

OTHER HELPFUL STATE CONTACTS

Pennsylvania Department of Education

(www.education.pa.gov):

General Information:

(717) 783-6788

Bureau of School/Leadership & Teacher Quality:

(717) 728-3224

Public Schools Employees' Retirement System Offices

(www.psers.pa.gov):

Beaver, Butler, Clarion, Clearfield (Western Region), Crawford, Erie, Forest, Jefferson, Lawrence, Mercer, Venango, and Warren Counties

Franklin Penn Wood Center, Suite C
464 Allegheny Blvd.
Franklin, PA 16323-6210
Phone: (814) 437-9845
Toll-free: (888) 773-7748 ext. 5175

Bradford, Cameron, Centre, Clearfield (Eastern Region), Clinton, Columbia, Elk, Lycoming, McKean, Montour, Northumberland, Potter, Schuylkill, Snyder, Sullivan, Tioga, and Union Counties

300 Bellefonte Avenue, Suite 201
Lock Haven, PA 17745-1903
Phone: (570) 893-4410
Toll-free: (888) 773-7748 ext. 5275

Lackawanna, Luzerne, Monroe, Northampton, Pike, Susquehanna, Wayne, and Wyoming Counties

417 Lackawanna Ave., Suite 201
Scranton, PA 18503-2013
Phone: (570) 614-0269
Toll-free: (888) 773-7748 ext. 5375

Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties

605 Louis Drive, Suite 500
Warminster, PA 18974
Phone: (215) 443-3495
Toll-free: (888) 773-7748 ext. 5575

Adams, Berks, Carbon, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Lehigh, Mifflin, Perry, and York Counties

5 North Fifth Street
Harrisburg, PA 17101-1905
Phone: (717) 720-6335
Toll-free: (888) 773-7748 ext. 6335

Allegheny, Fayette, Greene, and Washington Counties

300 Cedar Ridge Drive, Suite 301
Pittsburgh, PA 15205
Phone: (412) 920-2014
Toll-free: (888) 773-7748 ext. 5775

Armstrong, Bedford, Blair, Cambria, Indiana, Somerset, and Westmoreland Counties

219 West High Street
Ebensburg, PA. 15931
Phone: (814) 419-1180
Toll-free: (888) 773-7748 ext. 5875

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8:30 a.m. and 5:00 p.m., Monday
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