

Updated Release February 2024

Extensions and Reauthorizations through Act 33 to Address the Continued Substitute Teacher Shortage

Pennsylvania continues to face a substitute teacher shortage that led to the passage of Act 91 in late 2021. Pennsylvania's Act 33 of 2023, which passed with bipartisan support, reauthorizes most of the provisions of Act 91 to build a robust pool of substitute teachers.

This updated *Advisory* describes opportunities for classroom coverage using the following categories of personnel: certified teachers, retired educators, prospective teachers, and classroom monitors.¹

Certified Teachers

The following summarizes text from the original *Advisory* about Act 91 of 2021 as no additional changes occurred following the passage of Act 33.

Certified teachers—both active and inactive—are eligible to serve as day-to-day substitutes for up to 20 days per school year for any individual teacher. Certified teachers (PA and out-of-state) with active certificates can substitute outside of their area of certification when assigned under a district-issued day-to-day substitute permit. Educators should seek advice from their employer about whether they must obtain a long-term substitute permit to work on a single assignment for more than 20 days.

Individuals who hold a conferred bachelor's degree but do not have a teaching certificate can substitute with a day-to-day substitute emergency permit for up to 20 days for any one teacher. These individuals must obtain an emergency long-term substitute permit for any coverage of a single teacher longer than 20 days.

Retired Educators

Act 33 of 2023 makes the provisions initiated through Act 91 permanent.

Prior to Act 91, a retiree might place his or her annuity at risk by returning to employment as a substitute teacher unless there was an emergency work overload or staffing shortage approved by PSERS and the school entity made a good faith effort to first seek non-retired substitutes. Act 91 eliminated the requirement that the school entity first seeks non-retired candidates. The requirement that a district declares a work overload or staffing emergency still exists. Assuming PSERS approves a district's emergency staffing declaration, retirees can substitute in the district for up to 180 days each year under Act 33.

PSEA highly recommends that retirees request documentation of PSERS' approval of a district's emergency staffing declaration prior to employment as a substitute teacher by the district.

¹ Original provisions of Act 91 are included in this *Advisory* from January 2022.

Prospective Educators

Recent and Soon-To-Be College Graduates. Act 91 of 2021 granted individuals who had: (i) completed a teacher preparation program, (ii) met all requirements for the awarding of a bachelor's degree, and (iii) passed or are working to schedule required certification exams, the ability to serve as substitute teachers under a Locally Issued Temporary Certification for Substitute Teachers. Individuals with temporary certificates can fill day-to-day and long-term vacancies. The Temporary Certification expires at the termination of summer school following the issuance of the certificate or upon receipt of an Instruction I certificate. **Act 33 permanently continues these provisions.**

Students Enrolled in Approved Educator Preparation Programs. Act 91 temporarily waived the limitations on how many days individuals enrolled in a PA-approved educator preparation program who are not currently student teaching could substitute. **Act 33 extends the Act 91 waivers of these service limitations through school years 2023-24, 2024-25, and 2025-26. Act 33 also clarifies the limitations imposed on student teachers that remain in place: while in a student teaching program, the prospective educator can only substitute for 10 days in the individual's assigned classroom(s) or for other teachers within the building(s) where placed as a student teacher.**

Classroom Monitors

Act 33 extends the Classroom Monitor pilot program through the 2025-26 school year. A classroom monitor may deliver student assignments that are pre-planned by the classroom teacher but cannot plan lessons or create or grade student work. Classroom monitors must meet clearance and citizenship requirements, be at least 25 years old, and complete classroom management training provided by an Intermediate Unit. In addition, classroom monitors must meet one of two criteria:

- A classroom monitor must have attained at least 60 college credits from an accredited PA college or university; **OR**
- A classroom monitor must currently be employed by a public school entity as a paraprofessional and have at least three years of experience as a paraprofessional. In this case, compensation for service as a classroom monitor must reflect the higher of the paraprofessional's existing contractual compensation or that established by the school (or third-party agency) for day-to-day substitute teachers.

For More Information

For information about substitute teaching and classroom monitors in a specific school or district, PSEA members should contact their UniServ Representative. Individuals who are considering working as a substitute teacher or classroom monitor should contact the human resources department of the school district in which they would like to work. For general information about the provisions of Act 33 relating to these issues, PSEA members should contact PSEA's Education Services personnel: Dr. Gina Gullo (GGullo@psea.org) for policy inquiries or Michael Bogdan (Mbogdan@psea.org) for certification inquiries.