

ACT 45 & ACT 48 MORATORIUM UPDATE

Frequently Asked Questions

1. Under what authority has the Act 45 and Act 48 suspension/moratorium been instituted?

Act 24 of 2011 amended section 1205.1 of the Public School Code of 1949 by adding subsection (F); section 1205.2 of the Public School Code of 1949 by adding subsection (N.1); and section 1205.5 of the Public School Code of 1949 by adding subsection (H). These amendments suspended Act 45 and Act 48 continuing professional education requirements for school and system leaders and educators until June 30, 2013. 24 P.S. §§ 12-1205.1(F); 12-1205.2(N.1); 12-1205.5(H).

2. When do the Act 45 and Act 48 moratoriums take effect?

The Act 48 suspension/moratorium period takes effect on August 29, 2011. The Act 45 suspension/moratorium was effective on June 30, 2011.

3. May I complete Act 45 or Act 48 courses, programs or activities and receive credit hours during the suspension?

Yes, no one is prohibited from taking Act 45 or Act 48 courses, programs or activities if they choose to do so during the suspension period. Any educator or school or system leader may continue to acquire Act 45 or Act 48 credits and/or hours during the statutorily prescribed two-year suspension period. Hours accrued during this time will be credited to the compliance period in effect at the time of the suspension/moratorium.

4. Have all of the professional education requirements for Act 45 and Act 48 been suspended for two years?

No, not entirely as all administrators currently identified as school and system leaders in Act 45, 24 P.S. § 12-1205.5, as listed below, must complete the induction program within two years of serving in that capacity for the first time in Pennsylvania. Those needing to complete the induction program are:

- Principal
- Vice principal
- Assistant principal
- Superintendent
- Assistant Superintendent
- Intermediate Unit Executive Director

- Director of an Area Vocational-Technical School
- Those converting an administrative certificate from a Level I certificate to a Level II certificate.

5. Will individuals facing inactivation of their certification as of June 30, 2011, have their certificate inactivated?

The department will inactivate the certificates of educators that have not met their Act 48 continuing professional education requirements as of June 30, 2011, as the suspension/moratorium for Act 48 does not take effect until August 29, 2011. Certificates of school and system leaders that were pending inactivation for failure to complete their Act 45 continuing professional education requirements will remain “pending inactive” during the course of the suspension/moratorium period, as the moratorium/suspension for Act 45 was effective on June 30, 2011.

6. May currently approved Pennsylvania Inspired Leaders (PIL) courses continue to be offered during the suspension/moratorium period

Yes, courses and programs approved through the ITQ process prior to the suspension may be offered throughout the period of the suspension/moratorium.

7. Will the provider approval process continue for Act 48 during the suspension/moratorium period?

Yes, providers that wish to apply for initial Act 48 Approved Provider status may submit new applications for review by the Department of Education.

8. Will the Invitation to Qualify (ITQ) approval process continue for new PIL courses and programs during the suspension/moratorium period?

Yes, the Department of Education will continue to approve PIL courses and programs.

9. Will principals have to complete the induction process to receive Level II certification?

Yes, Principals are required to participate in the PIL induction program in order to receive Level II certification during the moratorium.

10. During the suspension/moratorium period does it matter that educators have “inactive” certificates?

Yes, those with inactive certificates, as of June 1, 2011, will remain inactive (currently 600,000 educators’ certificates are inactive).

11. Will any certificates be inactivated during the suspension/moratorium period?

No, those with "active" status will not be subject to inactivation during the suspension/moratorium period.

12. Will educators with inactive certificates be able to reactivate their certificates during the suspension/moratorium period?

Yes, a certificate(s) will be re-activated if the individual completes the required 180 hours or six college credits of continuing professional education during the course of the suspension/moratorium period.

13. Will four year notices be sent to those with one year or less remaining in their compliance period during the suspension/moratorium period?

No, four year notices will be discontinued during the suspension/moratorium period.

14. Will educators with compliance periods that ended in May 2011 receive inactivation notices?

Yes, those inactivation notices were processed in July 2011; however, inactivation will not occur until August 20, 2011. Note: inactivation will not occur if continuing professional education requirements are fulfilled.

15. Will all reporting of hours continue during the suspension/moratorium period?

Yes, all providers will be able to report Act 45/Act 48 hours during the suspension/moratorium period.

16. Are Local Education Agencies (LEAs) required to submit professional education plans during the suspension period?

Professional education plans as required by section 1205.1 of the Public School Code of 1949, 24 P.S. § 12-1205.1, are not required during the suspension/moratorium period; however, professional education plans associated with the federal requirements of Title I and Title II will continue in effect. It should be noted that Title I requires sustained on-going, intensive professional development as a component within mandated school improvement plans. Further, any district receiving Title I and Title II funding is required to include a professional development plan within the school improvement plan along with the requirements of 22 Pa. Code 49.17 (Continuing Professional Education).

17. Will the Department continue to analyze and approve professional education plans that are submitted by Private/Non-public Schools during the two-year moratorium?

Yes, it will be acceptable for Private/Non-public Schools to submit initial professional education plans to the Department for review.