

Pennsylvania Department of Education

Certification Appeal Information

By regulation, applicants who have been denied certification are provided with an opportunity to appeal for reconsideration of their case to the Pennsylvania Department of Education. 22 Pa. Code § 49.66. Applicants who choose to appeal for reconsideration of a denial of certification may either request that the Secretary of Education reconsider the denial based solely upon the complete certification record or they may request an evidentiary hearing in which they may be represented by counsel, present testimony and evidence, and cross examine any witnesses testifying on behalf of the Department.

General Appeal Requirements

An appeal cannot be initiated until an applicant has:

- submitted a completed certification application to the Bureau of School Leadership and Teacher Quality and received written notification from the Bureau or the Deputy Secretary for Postsecondary and Higher Education that the application has been denied;
- received written notice from the Pennsylvania college or university advising that it will not recommend the applicant for certification (in the case of a denial based upon the refusal of a preparing institution to recommend); or
- received written notice that they do not qualify for automatic deletion of a certification area and that the employing school entity will not permit the deletion.

Denial of certification for failure to obtain a passing score on the required state assessments such as Praxis or failure to meet GPA requirements cannot be waived through the appeal process.

Appeal Timeline

An applicant who has been denied certification may appeal for reconsideration of the denial by filing an application for reconsideration on or before **30 calendar days** from the mailing date of the written denial. Untimely applications will be dismissed and a failure to file a timely appeal will be considered a waiver of the right to appeal.

Appeal Process

For an appeal to be considered for reconsideration on the record or an evidentiary hearing, the applicant must complete a *PDE Request for Reconsideration of Certification Denial* Form PDE 338 CAC and submit it prior to the appeal deadline. All applications must be completed in full before an appeal will be processed. Applicants who have been denied certification may request one of the following types of reviews:

Reconsideration on the Record

Applicants must submit the PDE Request for Reconsideration of Certification Denial form and any additional information to the Certification Appeals Office. Once the request is received, the record will be reviewed by the Certification Appeals Office. The Certification Appeals Office will certify the record and make a recommendation to the Secretary of Education based upon all the information presented or submitted. The Secretary of Education will then make a determination on the request for reconsideration based upon a review of the complete certification record.

Evidentiary Hearing

Applicants must submit the PDE Request for Reconsideration of Certification Denial form. Once the request is received, a hearing officer will be assigned to the case and will contact the applicant directly with relevant information concerning the time and date of hearing. A hearing will be held in accordance with the Rules of Administrative Practice and Procedure, 1 Pa. Code § 35.1 et seq. At hearing applicants may be represented by counsel, present testimony and evidence, and cross examine any witnesses testifying on behalf of the Department.

Contact Information

All questions related to the certification appeals process should be directed to:

Certification Appeals Office
Pennsylvania Department of Education
607 South Drive, 3rd Floor
Harrisburg, PA 17120-0600
(717) 787-5500 TTY: (717) 783-8445

Pennsylvania Department of Education - Certification Appeals Request for Reconsideration of Certification Denial Form PDE 338 CAC

Section I - Personal Information

Last Name

First Name

Middle Initial

Address

City/State/Zip Code

Telephone Number

Email Address

Section II – Reconsideration/Hearing Request

You may request that the Secretary of Education review your appeal on the basis of the certification record and any additional information submitted with your appeal or you may request an Evidentiary Hearing. Please indicate your selection below:

I request reconsideration of the certification record.

I request an evidentiary hearing before a hearing officer.

Section III - Certificate Information

List the specific certificate title(s) denied by the Department:

- 1.
- 2.
- 3.
- 4.

Indicate the type of certification denial for which you are requesting a reconsideration/evidentiary hearing:

Instructional I or II denied

Denial for insufficient evidence of good moral character

Supervisory certificate denied

Removal of certification area

Administrative certificate denied

Denial based on lack of university/college recommendation

Education Specialist certificate denied

Other

Vocational I or II certificate denied

Section IV – Professional Information

Institution Attended	Degree(s) Earned	Year Degree Conferred

Employer	Position Held	Dates of Service

Section V- Applicant Signature

Name

Date

Request for Reconsideration of Certification Denial PDE Form PDE 338 CAC Instructions

Complete the form in its entirety. The following documents must be submitted with the application for reconsideration on the record or request for an evidentiary hearing:

- Copy of your denial letter
- Statement expressing your reason for requesting reconsideration
- Copies of any certificates that you currently hold
- Additional documentation (as specified below)

If you are requesting reconsideration on the record, you may also wish to supply the following additional documentation depending on the reason for denial of your application as explained below.

Lack of requisite experience:

- Job descriptions and performance evaluations for positions/service that you wish to have credited towards the experience requirement
- Other information you believe is relevant to the determination

Lack of student teaching/practicum experience:

- Job descriptions and performance evaluations for service that you wish to have considered as equivalent to student teaching
- Documentation of successful participation in an induction program

Lack of recommendation from the preparing institution:

- Letter of explanation from the preparing institution specifically detailing why the institution did not recommend you for PA certification

Failure to complete an approved program of study:

- Letter from the employing district stating that they have denied your request to delete an area from your PA certificate

Failure to complete an approved program of study:

- Sealed official transcript of all coursework completed
- Other information you believe is relevant to the determination

Lack of good moral character:

- Evidence that all conditions related to the conviction and/or probation have been satisfied
- Additional letters of reference attesting to your character from individuals who are aware of your conviction
- Any other documentation which you believe provides evidence of your moral character

The PDE 338 CAC Form and supporting documentation must be submitted to the Certification Appeals Office on or before **30 calendar days** from the date the denial letter was mailed to you by the Bureau of School Leadership and Teacher Quality. Untimely applications will be dismissed. A failure to file an application within the timeframe specified will be considered a waiver of the right to appeal. Submit the application form and all associated documentation to:

Certification Appeals Office
Pennsylvania Department of Education
607 South Drive, 3rd Floor
Harrisburg, PA 17120-0600