This matter is before the Professional Standards and Practices Commission upon the Hearing Officer’s Recommendation for discipline against Respondent’s Instructional I teaching certificates endorsed in the areas of General Science and Earth and Space Science.

The Department of Education ("Department") initially issued a Notice of Charges on February 4, 2000, seeking professional discipline against Respondent’s teaching certificates on the grounds of immorality, incompetence, intemperance, cruelty, and negligence. Specifically, the Department alleged that Respondent had engaged in an inappropriate relationship with female students under his supervision as a teacher at the Pottstown High School.

On March 17, 2000, Respondent filed his Answer to the Notice of Charges, denying the Department’s characterization of his relationship with the students and denying that he engaged in any misconduct. A hearing officer was appointed by letter dated March 28, 2000, and a hearing was subsequently held on September 13, 2001.

On February 20, 2002, the hearing officer issued a decision, finding that
Respondent’s conduct violated appropriate student-teacher boundaries and constituted immorality and intemperance. The hearing officer recommended that Respondent’s teaching certificate be suspended for a period of 6 months or until such time as Respondent demonstrates to the Commission that he has completed professional counseling designed to address the boundary violations. The hearing officer further opined that failure to present evidence of successful treatment within the 6-month period would result in revocation of Respondent’s teaching certificates.

In accordance with 24 P.S. §2070.14, the decision of the hearing officer shall become final unless excepted to by either the Respondent or the Department within thirty days from the date of the recommended decision. In the instant case, neither party has filed exceptions to the hearing officer’s recommended decision, and thus the Commission enters the following:
ORDER

AND NOW, this 23rd day of May, 2002, it is hereby ORDERED that the Recommended Decision of the Hearing Officer is ACCEPTED and the teaching certificate of Respondent Thomas R. Smith, Jr. is hereby SUSPENDED for a period of 6 months from the date of this order or until such time as the Respondent demonstrates to the Commission that he has engaged in professional counseling as specified in the Commission’s Memorandum and the Hearing Officer’s Proposed Report. Further, should the Respondent fail to demonstrate that he has engaged in the appropriate counseling within 6 months from the date of this order, the Department will be directed to revoke Respondent’s teaching certificates.

PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

By: __________________________
   Richard D. Hupper
   Chairperson

Attest: __________________________
   Carolyn Angelo
   Executive Director

Date Mailed: