

In accordance with the Commission's bylaws, a professional educator who fails to respond to the Notice of Charges is in default as provided for in section 35.37 of the General Rules of Administrative Practice and Procedure. 22 Pa. Code §233.13(e)(1)(iii); 1 Pa. Code §35.37. Thus, all relevant facts stated in the Notice of Charges will be deemed admitted.

Accordingly, the Commission finds that Respondent, while employed as a teacher in the Pittsburgh School District, signed a Memorandum of Understanding with the District on April 17, 1996, agreeing to seek substance abuse counseling and to abstain from the use of alcohol or drugs. Subsequently, the District suspected that Respondent was engaging in the use of drugs and requested that she submit a urine sample for testing in accordance with the Memorandum of Understanding. Respondent submitted a sample secured from one of her first grade students. The sample tested negative for the presence of narcotics. When the District requested a second urine sample several months later, the Respondent again secured a sample from the student who was now in second grade. Upon disclosure of the incident by the student, Respondent resigned on March 19, 1998, from the District in lieu of discipline.

The Commission has defined "immorality" as "conduct which offends the morals of a community and is a bad example to the youth whose ideals a professional educator has a duty to foster and elevate." 22 Pa. Code §237.3. The Commission finds that Respondent's intentional manipulation of the drug test in contravention to the Memorandum of Understanding and her betrayal of the teacher-student relationship constitutes immorality and warrants revocation of her teaching certificate.

Accordingly, we enter the following:

ORDER

AND NOW, this 23rd day of May, 2001, upon consideration of the Motion for Judgment on Default filed by the Department of Education and the failure of Respondent to respond thereto, it is hereby ORDERED that the professional certificate issued to Respondent Nancy J. Hill shall be REVOKED. Further, the Commission finds that the Respondent is a danger to the health, safety, and welfare of the students and other persons in the schools of the Commonwealth, thus the Revocation is EFFECTIVE IMMEDIATELY.

PROFESSIONAL STANDARDS AND
PRACTICES COMMISSION

BY:

Richard D. Hupper
Chairperson

ATTEST:

Carolyn Angelo
Executive Director

Date Mailed:

