



Commonwealth of Pennsylvania

Professional Standards and Practices Commission

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COMMONWEALTH OF PENNSYLVANIA
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

In re: David Allen Arnold

PSPC Docket
No. DI-90-01

MEMORANDUM and ORDER

On December 10, 1990, the Department of Education, Office of Higher Education, filed and served upon David Allen Arnold a "Notice of Charges" pursuant to section 13 of the Teacher Certification Law, as amended, 24 P.S. §12-1263. The Notice of Charges included a certified copy of a judgment of conviction, dated June 7, 1990, entered in the District Court for the County of Denver in the State of Colorado. The Department averred that the conviction was for "a crime of moral turpitude" and that, pursuant to section 5(a)(11) of the Teacher Certification Law, as amended, 24 P.S. §12-1255(a)(11), the Commission must direct the Department to revoke Mr. Arnold's certificate as a professional educator.

Mr. Arnold did not respond to the Notice of Charges within 30 days after service as required by section 13(a) of the Law, as amended, 24 P.S. §12-1263(a). Thus, the Commission deemed the authenticity of the conviction to be admitted pursuant to 1 Pa. Code §35.37 and proceeded to determine, based solely on the Notice of Charges, whether Mr. Arnold's professional certificate must be revoked as a result of the conviction of a crime of moral turpitude.

After notice to Mr. Arnold and the Department, the Commission on February 14, 1991 held a closed meeting. After due deliberation, and upon roll call vote, the Commission determined that Mr. Arnold's conviction of sexual assault on a child under Colorado Revised Statutes §18-3-405 constitutes conviction of a crime of moral turpitude.

Therefore, pursuant to section 5(a)(11) of the Teacher Certification Law, as amended, 24 P.S. §12-1255(a)(11), the Commission hereby ORDERS the Department of Education to revoke all professional certificates held by David Allen Arnold.

Given under my hand this
27 day of February, 1991

By: Howard R. Selekman
Howard R. Selekman
Chairman
Professional Standards and
Practices Commission

Attest: Warren D. Evans
Warren D. Evans
Executive Director
Professional Standards and
Practices Commission