

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

In Re: Stanley L. Wilkes

PSPC Docket No. DI-91-06

MEMORANDUM AND ORDER

On June 29, 1991, the Department of Education filed with the Commission a Notice of Charges, alleging that a Judgment of Conviction and Order for Commitment had been entered against Stanley L. Wilkes by the Court of Common Pleas of Allegheny County, for the following crimes:

- Robbery, in violation of 18 Pa.C.S. §3701(a)(1)(iv);
- Theft by Unlawful Taking or Disposition, in violation of 18 Pa.C.S. §3921(a);
- Receiving Stolen Property, in violation of 18 Pa.C.S. §3925;
- Criminal Conspiracy, in violation of 18 Pa.C.S. §903(a)(1); and
- Crimes Committed with Firearms, in violation of 18 Pa.C.S. §6103.

Attached to the Notice of Charges are documents represented by the Department to be documents of record certified by the Clerk of Courts of Allegheny County, Pennsylvania. According to the certified records, Mr. Wilkes was convicted of the crimes on June 8, 1979 and sentenced on September 11, 1979 to a term of imprisonment of not less than 11-1/2 months nor more than 23 months.

The Department avers that the Judgment of Sentence constitutes conviction of crimes involving moral turpitude. The Department therefore requests that the teaching certificate endorsed in the area of elementary education issued to Mr. Wilkes be revoked pursuant to section 5(a)(11) of the Teacher Certification Law, as amended, 24 P.S. §12-1255(a)(11). The Department also avers that Mr. Wilkes is a "danger to the health, safety and welfare of students in the schools of this Commonwealth."

On September 3, 1991, the Department filed with the Commission a Motion for Judgment on Default pursuant to 1 Pa. Code §35.37. The Department avers that Mr. Wilkes received a copy of the Notice of Charges, by certified mail, on July 30, 1991, and that he was expressly informed that he must respond to the Notice of Charges no later than 30 days after receipt of the Notice of Charges. Because Mr. Wilkes has not timely responded to the Notice of Charges, the Department has requested the Commission to revoke the professional certificate issued to

Mr. Wilkes, pursuant to section 5(a)(11) of the Teacher Certification Law.

Pursuant to 1 Pa. Code §35.37 and 22 Pa. Code §233.13(e)(1)(iii), Mr. Wilkes is in default and is deemed to have admitted the facts stated in the Notice of Charges. Therefore, Mr. Wilkes is deemed to have admitted that in 1979 he was convicted of and sentenced for crimes of robbery, theft by unlawful taking or disposition, receiving stolen property, criminal conspiracy and crimes committed with firearms in violation of the Pennsylvania Crimes Code, that a certified copy of the convictions has been filed with the Commission, and that Mr. Wilkes is a danger to the health, safety and welfare of the children of this Commonwealth.

In accordance with the Teacher Certification Law, the Commission held a closed meeting on October 10, 1991, to adjudicate the matter. Mr. Wilkes and Department counsel were notified of the meeting and invited to make written submissions or oral presentations. The Department filed a letter brief on September 26, 1991. Mr. Wilkes neither appeared before the Commission nor addressed the Commission in writing.

After due deliberation, the Commission on October 10, 1991, by roll call vote, decided to revoke the professional teaching certificate issued to Mr. Wilkes on the grounds that he had been convicted of a crime involving moral turpitude.

Therefore, it is hereby ORDERED, pursuant to section 5(a)(11) of the Teacher Certification Law, as amended, 24 P.S. §12-1255(a)(11), that the professional teaching certificate issued to Stanley L. Wilkes be REVOKED. It is further ORDERED that, because Mr. Wilkes is deemed to have admitted that he is a danger to the health, safety and welfare of the children of this Commonwealth, the revocation shall be immediate and the appropriate agencies, officials and institutions notified of the revocation in accordance with 22 Pa. Code §49.64(f).

PROFESSIONAL STANDARDS AND
PRACTICES COMMISSION

By: Howard R. Selekman
Howard R. Selekman
Chairperson

ATTEST:

Warren D. Evans
Warren D. Evans
Executive Director

DATED: 10-10-91