

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

In Re: Russell R. White : PSPC Docket No. DI-91-07
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MEMORANDUM AND ORDER

On June 28, 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 Russell R. White by the Norwalk Municipal Court, Norwalk, Ohio, for the crime of Sexual Imposition, in violation of Ohio Revised Code §2907.06(A)(4). The Notice of Charges included a copy of court documents reflecting the Judgment of Conviction and Order for Commitment certified by the Clerk of the Norwalk Municipal Court.

The Department avers that the crime of which Mr. White has been convicted is a crime involving moral turpitude. Therefore, the Department avers, the professional teaching certificate issued to Mr. White must 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. White "is a

danger to the health, safety and welfare of students in the schools of this Commonwealth."

On August 15, 1991, the Department filed with the Commission a Motion for Judgment on Default pursuant to 1 Pa. Code §35.37 and 22 Pa. Code §233.13(e)(1)(iii). The Department avers that Mr. White received a copy of the Notice of Charges, by certified mail, on July 11, 1991, and that he was expressly informed that he must respond to the Notice of Charges no later than thirty days after receipt of the Notice of Charges.

Mr. White has not responded to the Notice of Charges in the time prescribed by section 13(a) of the Teacher Certification Law, as amended, 24 P.S. §12-1263(a). Thus, under 1 Pa. Code §35.37 and 22 Pa. Code §233.13(e)(1)(iii), Mr. White is in default and is deemed to have admitted the factual allegations contained in the Notice of Charges.

By letter dated August 20, 1991, the Commission notified Mr. White and the Department that the Commission would consider the matter at a closed meeting on September 12, 1991. By letter dated August 21, 1991, the Department filed a letter brief in support of its Motion for Judgment on Default. Mr. White neither filed written materials nor appeared before the Commission.

After due deliberation at its closed meeting of September 12, 1991, the Commission determined, by roll call vote, that the professional teaching certificate of Russell R. White must be revoked under section 5(a)(11) of the Teacher Certification Law since Mr. White has been convicted of a crime involving moral turpitude.

Now, therefore, this 22nd day of September, 1991, it is hereby ORDERED, pursuant to section 5(a)(11) of the Teacher Certification Law, that the professional teaching certificate issued to Russell R. White shall be REVOKED. Further, because Mr. White is deemed to have admitted that he is a danger to the health, safety and welfare of students in the schools of this Commonwealth, it is hereby further ORDERED that the certificate shall be revoked immediately and the appropriate agencies, officials and institutions notified of the revocation in accordance with 22 Pa. Code §49.64f.

PROFESSIONAL STANDARDS AND
PRACTICES COMMISSION

By:

Howard R. Selekman

Howard R. Selekman
Chairperson