

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF EDUCATION  
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

In Re: Vicki Lee Paulina

PSPC Docket No. DI-92-3

MEMORANDUM AND ORDER

On January 15, 1992, the Department of Education, through its Office of Chief Counsel, filed with the Professional Standards and Practices Commission a Notice of Charges, alleging that the respondent, Vicki Lee Paulina, had pled guilty to theft by failure to make required disposition of funds. Attached to the Notice of Charges are certified copies of the Order of Court and Plea of the Court of Common Pleas of Indiana County, Pennsylvania, reflecting that the respondent had pled guilty to theft by failure to make required disposition of funds received (graded as a felony of the third degree) and was ordered on October 21, 1991 to pay the costs of prosecution, to make restitution to the Borough of Clymer, and to undergo confinement in the Indiana County Jail for a period of not less than eight (8) months nor more than three (3) years. In its Notice of Charges, the Department averred that the order of court and plea filed in the Court of Common Pleas of Indiana County constitutes conviction of a crime involving moral turpitude. Therefore, the Department has averred that the instructional teaching

certificate issued to the respondent and endorsed in elementary education must be revoked pursuant to section 5(a)(11) of the Teacher Certification Law, as amended, 24 P.S. §12-1255(a)(11).

On March 9, 1992, 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). In its motion, the Department averred that the respondent had received, by certified mail, a copy of the Notice of Charges on January 31, 1992 and had failed to respond within the thirty days permitted under section 13(a) of the Teacher Certification Law, as amended, 24 P.S. §12-1263(a). Under section 13(a), the Department averred, the respondent's response to the Notice of Charges was due on or before March 1, 1992. Because the respondent failed to timely respond, the Department requested that the respondent be deemed in default under 1 Pa. Code §35.37 and that all facts stated in the Notice of Charges be deemed admitted.

The respondent did not timely respond to the motion for judgment on default. Therefore, the respondent is in default and deemed to have admitted the factual averments contained both in the motion and in the Department's Notice of Charges.

By letter dated March 19, 1992, the Commission's Executive Director informed the respondent that the Commission would hold a closed meeting to consider the Department's motion. In

accordance with that notice, the Commission on Thursday, April 9, 1992, held a closed meeting to consider the Department's Motion for Judgment on Default. After due consideration of the Department's motion, and upon majority roll call vote, the Commission on April 9 voted to grant the Department's Motion for Judgment on Default and to order the Department of Education to revoke the teaching certificate issued to the respondent pursuant to section 5(a)(11) of the Teaching Certification Law, as amended, 24 P.S. §12-1255(a)(11).

Therefore, the Commission directs that the following Order be entered:

ORDER

AND NOW, this *2nd* day of May, 1992, upon consideration of the Department of Education's Motion for Judgment on Default, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the Department of Education shall revoke the professional teaching certificate issued to the respondent, Vicki Lee Paulina. The Department shall execute this order thirty (30) days after the issuance of the order if no appeal is taken, or upon the disposition of any appeal from this order.

PROFESSIONAL STANDARDS AND  
PRACTICES COMMISSION

By:

Howard R. Selekman  
Howard R. Selekman  
Chairperson

ATTEST:

Warren D. Evans  
Warren D. Evans  
Executive Director