

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF EDUCATION  
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

In Re: Todd Baney

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: PSPC Docket No. DI-92-09  
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MEMORANDUM AND ORDER

On April 21, 1992, the Department of Education filed with the Professional Standards and Practices Commission a Notice of Charges, alleging that on March 19, 1992, the respondent, Todd Baney, had been found guilty of seven counts of indecent assault and five counts of corruption of minors. Attached to the Notice of Charges are copies of the verdict of the jurors certified by the Chief Clerk of the Columbia County Court of Common Pleas. In its notice of charges, the Department avers that the jury's verdict constitutes conviction of a crime involving moral turpitude. The Department therefore requests that the teaching certificate issued to the respondent be revoked pursuant to section 5(a)(11) of the Teacher Certification Law, as amended, 24 P.S. §12-1255(a)(11). In addition, the Department avers that the respondent "is a danger to the health, safety, and welfare of students in the schools of this Commonwealth."

On May 27, 1992, the Department filed with the Commission a Motion for Judgment on Default pursuant to 1 Pa. Code §35.37. The Department avers that the respondent received a copy of the Notice of Charges by certified mail, on April 22, 1992, and that he was expressly informed that he must respond to the Notice of Charges no later than thirty (30) days after receipt of the notice. The respondent has filed no answer to the Department's motion.

The respondent has not answered 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). Therefore, pursuant to 1 Pa. Code §35.37, the respondent is in default. In a letter dated June 3, 1992, the Commission notified the respondent that it would hold a closed meeting to consider whether, under section 5(a)(11) of the Teacher Certification Law, it must revoke the respondent's teaching certificate. In accordance with its notice, the Commission on July 9, 1992, at 3:00 P.M., convened a closed meeting. The respondent did not appear.

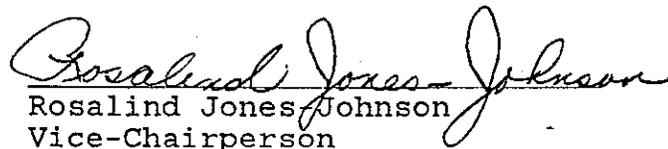
Upon majority vote of the members of the Commission, the Commission decided to grant the Department's Motion for Judgment on Default and to deem admitted the allegations of the Notice of Charges. Therefore, the following Order will be entered:

ORDER

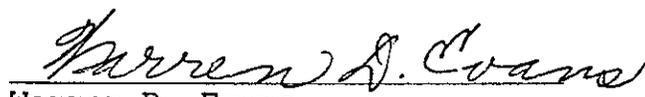
AND NOW, this 30<sup>th</sup> day of July, 1992, after consideration of the Department of Education's Motion for Judgment on Default, it is hereby ORDERED that the Department's motion is GRANTED. It is further ORDERED that the Department of Education shall REVOKE the professional teaching certificate of the respondent, Todd Baney. It is further ORDERED that the revocation shall occur immediately and the appropriate persons and agencies notified in accordance with 22 Pa. Code §49.64(f).

PROFESSIONAL STANDARDS AND  
PRACTICES COMMISSION

By:

  
Rosalind Jones-Johnson  
Vice-Chairperson

Attest:

  
Warren D. Evans  
Executive Director