

COMMONWEALTH OF PENNSYLVANIA
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

In Re: John Tabor

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PSPC Docket No. DI-92-15

MEMORANDUM AND ORDER

On June 16, 1992, the Department of Education (Department), through its Commissioner of Postsecondary and Higher Education and its Office of Chief Counsel, issued against the respondent, John Tabor, a Notice of Charges. Then, on August 4, 1992, the Department issued to the respondent an amended Notice of Charges. In its amended Notice of Charges, the Department avers that the respondent has been convicted of the crimes of corruption of minors and indecent assault and appends to its notice supporting records of the Court of Common Pleas of Lackawanna County certified by the Clerk of Court of Lackawanna County. The Department asserts that the crimes of which the respondent has been convicted are crimes involving moral turpitude, requiring the Professional Standards and Practices Commission (Commission) to order the revocation of the respondent's Instructional I teaching certificate endorsed in the area of mentally and/or physically handicapped. 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 September 21, 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)(iii). In its motion, the Department avers that it issued the amended Notice of Charges to the respondent on August 4, 1992 and that the respondent received the amended Notice of Charges by certified mail on August 6, 1992. Because the respondent has not filed an answer to the amended Notice of Charges or otherwise responded to the charges, the Department moves that the respondent be deemed in default, that the factual averments made against him be deemed admitted and that the Commission order the revocation of the respondent's professional teaching certificate pursuant to section 5(a)(11) of the Teacher Certification Law, as amended, 24 P.S. §12-1255(a)(11).

The respondent has not filed an answer or other response to the Department's Motion for Judgment on Default. Therefore, pursuant to 1 Pa. Code §35.37, the respondent is deemed in default and, further, he is deemed to have admitted that he has been convicted of the crimes of corruption of minors and indecent assault. Because the crimes of which the respondent has been convicted are crimes involving moral turpitude, it is incumbent upon the Commission under section 5(a)(11) of the Teacher Certification Law to order that the respondent's professional

teaching certificate be revoked. In addition, because the respondent is deemed also to have admitted that he is a danger to the health, safety and welfare of students in the schools of this Commonwealth, the revocation shall occur immediately.

Therefore, the following Order shall be entered:

AND NOW, this 18th day of November, 1992, upon motion of the Department of Education for judgment on default, it is hereby ORDERED that the said motion is GRANTED. The professional teaching certificate issued to the respondent, John Tabor, is hereby REVOKED. Further, because the respondent is deemed to have admitted that he is a danger to the health, safety and welfare of students in the schools of this Commonwealth, the Department shall forthwith notify the appropriate officials and entities of this order of revocation pursuant to 22 Pa. Code §49.64f.

PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION

By:

Howard R. Selekman
Howard R. Selekman
Chairperson

Attest:

Warren D. Evans
Warren D. Evans
Executive Director