

COMMONWEALTH OF PENNSYLVANIA
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

In Re: David E. Curtis : PSPC Docket No. DI-92-18
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MEMORANDUM AND ORDER

On July 7, 1992, the Department of Education (Department), through its Office of Postsecondary and Higher Education and its Office of Chief Counsel, issued to the respondent, David E. Curtis, a Notice of Charges. In its Notice of Charges, the Department has averred that the respondent's teaching certificate issued by the State of New York was revoked because he had sexual contact with a 15-year-old student on school grounds and because the respondent was convicted by a New York State court of endangering the welfare of a child. According to the Department's Notice of Charges, the crime of endangering the welfare of a child under New York law is a crime involving moral turpitude and, therefore, the professional teaching certificate issued by the Department to the respondent must be revoked. In addition, the Department avers that the respondent's conduct constitutes the offense of immorality for which discipline should be imposed. Finally, the Department avers that the respondent is

a danger to the health, safety and welfare of students in the schools of this Commonwealth. Attached to the Notice of Charges is a certified copy of a Certificate of Conviction reflecting that the respondent was convicted on February 5, 1991 of the crime of endangering the welfare of a child and that a sentence of three years probation was imposed.

On September 28, 1992, the Department filed with the Professional Standards and Practices Commission (Commission) a Motion for Judgment on Default. The Department avers that the respondent received a copy of the Notice of Charges by certified mail on July 13, 1992, but has not filed an answer thereto with the Commission. Therefore, the Department contends the respondent should be deemed in default and the facts set forth in the Notice of Charges deemed admitted pursuant to 1 Pa. Code §35.37 and 22 Pa. Code §233.13(e)(iii).

The respondent has not filed an answer or otherwise responded to the Department's Motion for Judgment on Default. Therefore, pursuant to 1 Pa. Code §35.37, the respondent is deemed to be in default, and he is deemed as well to have admitted the factual averments set forth in the Department's Notice of Charges. Specifically, the respondent is deemed to have admitted that he has been convicted in New York of endangering the welfare of a child and that he had sexual contact with a 15-year-old student on school grounds. In addition, 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. Because the crime of which the respondent has been convicted is a crime involving moral turpitude, the Commission must revoke the professional Administrative I certificate endorsed for Secondary Principal issued by the Department to the respondent.

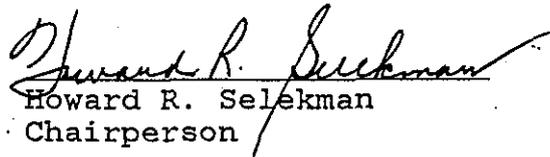
Therefore, the following Order shall be entered:

ORDER

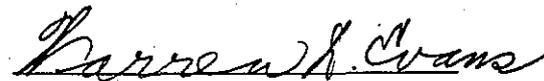
AND NOW, this 19th day of November, 1992, upon Motion for Judgment on Default filed by the Department of Education, it is hereby ORDERED that the motion of the Department is GRANTED. Pursuant to section 5(a)(11) of the Teacher Certification Law, as amended, 24 P.S. §12-1255(a)(11), it is hereby ORDERED that the Department shall REVOKE the professional certificate issued by the Department to the respondent, David E. Curtis. 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 immediately notify all appropriate persons and entities pursuant to 22 Pa. Code §49.64f.

PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION

By:


Howard R. Selekman
Chairperson

Attest:


Warren D. Evans
Executive Director