

COMMONWEALTH OF PENNSYLVANIA
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

In Re: Michael J. Strockbine :
: PSPC Docket No. DI-92-20
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MEMORANDUM AND ORDER

On October 30, 1992, the Department of Education (Department), through its Office of Postsecondary and Higher Education, filed with the Professional Standards and Practices Commission (Commission) a Notice of Charges against the respondent, Michael J. Strockbine. In its Notice of Charges, the Department averred that Mr. Strockbine's teaching certificate had been revoked by the State of New York because he had had an inappropriate sexual relationship with a female student and was convicted by the District Court of the County of Suffolk of the crime of Aggravated Harassment. Attached to the Notice of Charges is a document certified by the Clerk of Court in New York reflecting that on March 7, 1990, the respondent had pled guilty to the charge of Aggravated Harassment and had been sentenced to a term of one year probation and to pay a \$350 fine.

The Department alleges in its Notice of Charges that the crime of aggravated harassment under New York law is a crime involving moral turpitude, requiring that the Commission order the Department to revoke the respondent's Pennsylvania teaching certificate pursuant to section 5(a)(11) of the Teacher Certification Law, as amended, 24 P.S. §12-1255(a)(11). Also, the Department avers that the facts which form the grounds for the respondent's conviction and New York's revocation of his teaching certificate there constitute immorality for which the respondent should be disciplined. Finally, the Department avers that the respondent is a danger to the health, safety and welfare of students in the schools of this Commonwealth. The Department requests that the respondent's Instructional I certificate endorsed in Social Studies issued by the Department in June 1979 be ordered revoked.

On December 17, 1992, the Department filed with the Commission a Motion for Judgment on Default. In its motion, the Department avers that the respondent was personally served with a copy of the Notice of Charges on November 9, 1992. An exhibit to the motion reflects that a deputy sheriff of Hartford County in Connecticut personally served the respondent at a residence in Manchester, Connecticut. Because the respondent has not filed an answer to the Notice of Charges or requested an evidentiary hearing, the Department contends that the respondent is in default and should be deemed to have admitted the facts contained

in the Notice of Charges. Therefore, the Department requests that the Commission order the revocation of the respondent's teaching certificate based upon the Notice of Charges in accordance with section 13(a) of the Teacher Certification Law, as amended, 24 P.S. §12-1263(a), 1 Pa. Code §35.37 and 22 Pa. Code §233.13(e)(1)(iii)(B).

By letter dated December 21, 1992, the Commission informed the respondent and the Department that the Commission would hold a closed meeting to consider whether the Department's motion should be granted and the teaching certificate issued to the respondent ordered revoked. The respondent did not appear at the announced meeting on January 15, 1993, nor did he file a written response to the Department's motion. Consequently, the Commission will enter the following Order:

ORDER

AND NOW, this 15th day of January, 1993, upon consideration of the Department of Education's Motion for Judgment on Default and the absence of a response thereto, it is hereby ORDERED that the Department's motion is GRANTED. It is further ORDERED that the professional teaching certificate issued to the respondent, Michael J. Strockbine, shall be REVOKED pursuant to section 5(a)(11) of the Teacher Certification Law. Further, the Commission concludes that the respondent has admitted that he is a danger to the health, safety and welfare of the students of this Commonwealth and, therefore, the revocation

shall occur immediately and the appropriate officials and entities notified in accordance with 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