

**COMMONWEALTH OF PENNSYLVANIA  
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION**

DEPARTMENT OF EDUCATION  
Petitioner

v.

DAVID L. ANDREWS,  
Respondent

PSPC Docket No. DI-92-21

MEMORANDUM AND ORDER

This matter comes before the Professional Standards and Practices Commission (Commission) on the Department of Education's (Department's) motion, filed on January 11, 1994, for revocation of Respondent's professional certificate. Attached to the motion as Exhibit A is a certified copy of an April 22, 1992, verdict in the Court of Common Pleas of Delaware County finding the Respondent guilty of two counts of rape and as Exhibit B a copy of the Commission's memorandum and order of November 19, 1992. That order, upon agreement of the parties, suspended the Respondent's certificate based solely on the two charges of rape--designated as a crime involving moral turpitude--pending against the Respondent. The Commission recognized that the Respondent had been found guilty on both counts of rape but observed that, since he had filed a motion for post-trial relief, no judgment of sentence had been entered. The Commission directed that, should the Court deny the Respondent's motion and enter judgment of sentence on the jury's verdict, the Respondent's certificate would be revoked, upon motion, pursuant to section 5(a)(11) of the Teacher Certification Law (Law), 24 P.S. §12-1255(a)(11).

The Department's motion avers that the Respondent has been denied post-trial relief and incorporates as Exhibit C a certified copy of a judgment of sentence entered in

Respondent's case on March 30, 1993. This document shows that the Court sentenced the Respondent, based on the rape convictions, to confinement for at least twenty-seven months but not more than five years less a day.

The Respondent filed no formal response to the Department's motion but, by letter dated January 16, 1994, acknowledged that judgment of sentence had been entered and asked the Commission to postpone revocation of his certificate until he had exhausted his appeals.

The Commission notes that both conditions for revocation in its previous memorandum and order--the Court's entry of judgment of sentence and the Department's motion for revocation--have been fulfilled. The Commission notes as well that section 5(a)(11) of the Law compels revocation of a professional certificate when the holder has been convicted of a crime involving moral turpitude and a certified copy of the sentence of the court has been duly filed. These conditions too have been fulfilled. Accordingly the Commission, with a quorum present and by majority vote,<sup>1</sup> enters the following order:

---

<sup>1</sup> Commission members Rosalind Jones-Johnson and Mina Shuman abstained from voting.

ORDER

AND NOW, this 27<sup>th</sup> day of April 1994, upon consideration of the Department of Education's motion for revocation of Respondent's certificate and Respondent's letter filed in response thereto, the Commission hereby GRANTS the motion and ORDERS that the professional teaching certificate issued to Respondent, David L. Andrews, shall be REVOKED pursuant to section 5(a)(11) of the Teacher Certification Law, 24 P.S. §12-1255(a)(11). The Department shall immediately notify all appropriate persons and entities pursuant to 22 Pa. Code §49.64f.

PROFESSIONAL STANDARDS AND  
PRACTICES COMMISSION

By: Gilbert R. Griffiths  
Gilbert R. Griffiths,  
Commissioner

Attest: Warren D. Evans  
Warren D. Evans,  
Executive Director