

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

<b>DEPARTMENT OF EDUCATION,</b>	:	
<b>Petitioner,</b>	:	
	:	
<b>v.</b>	:	<b>PSPC DOCKET NO. DI-23-103</b>
	:	
<b>HEATHER VANDALE (HOLBEN),</b>	:	
<b>Respondent.</b>	:	

**ORDER ACCEPTING SURRENDER**

This matter is before the Professional Standards and Practices Commission (Commission) on the Department of Education’s (Department) Motion for Entry of Order. The Motion requests that the Commission accept the surrender of the certificate and employment eligibility of Heather Vandale (Holben) (Respondent) in resolution of the Notice of Charges and Motion for Summary Judgment filed against her. The Motion was presented to the Commission at its regularly scheduled meeting on January 22, 2024. After careful consideration, the Commission enters this Order accepting Respondent’s surrender.

**Background**

Respondent holds an Instructional I certificate in the area of Elementary K-6. The Department initiated disciplinary proceedings against Respondent with the filing of a Notice of Charges on September 28, 2023. The Notice of Charges alleges that Respondent taught pre-school aged children while under the influence of alcohol and was, as a result, convicted of the Ohio crime of Endangering Children. Simultaneous with the filing of the Notice of Charges, the Department filed a Motion for Summary Judgment requesting that the Commission enter summary judgment in its favor and revoke Respondent’s certificate and employment eligibility based upon her conviction.

On October 9, 2023, Respondent signed an Affidavit agreeing to surrender her certificate and employment eligibility. (Motion for Entry of Order, Ex. 1). On November 20, 2023, the Department filed a Motion for Entry of Order requesting that the Commission accept Respondent's surrender in lieu of further disciplinary proceedings.

#### Surrender

Pursuant to the Educator Discipline Act (Act), surrender shall mean the termination by consent of a certificate or employment eligibility. 24 P.S. § 2070.1b. Surrender of a certificate or employment eligibility constitutes discipline. Id. The Act authorizes the Commission to accept the surrender of Respondent's certificate and employment eligibility.

#### Order

AND NOW, this 2<sup>nd</sup> day of February 2024, upon consideration of the Department's Motion for Entry of Order, it is hereby Ordered:

1. The Motion is granted, and the Commission accepts the surrender of Respondent's certificate and eligibility to be employed as a charter or cyber charter school staff member or contracted educational provider staff member.
2. Respondent's certificate and eligibility to be employed as a charter or cyber charter school staff member or contracted educational provider staff member are, therefore, terminated effective on the date of this Order.
3. The acceptance by the Commission of the surrender of Respondent's certificate and employment eligibility shall constitute the imposition of discipline against Respondent.

4. Respondent is not eligible to be employed in a school entity in a position requiring certification or as a charter or cyber charter school staff member or contracted educational provider staff member, or eligible for any certificate.
5. In accordance with 24 P.S. § 2070.16(c), the Commission shall not reinstate Respondent's certificate and employment eligibility for the time period set forth in 24 P.S. § 1-111(e).
6. The Notice of Charges and Motion for Summary Judgment filed against Respondent are resolved.

PROFESSIONAL STANDARDS AND  
PRACTICES COMMISSION

By: 

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Myron Yoder  
Chairperson Pro Tempore



Attest: 

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Shane F. Crosby  
Executive Director

Date Mailed: February 2, 2024