

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

DEPARTMENT OF EDUCATION,	:	
Petitioner,	:	
	:	
v.	:	
	:	PSPC DOCKET NO. DI-24-023
SARAH OPALINSKI,	:	
Respondent.	:	

ORDER APPROVING SETTLEMENT AGREEMENT

This matter is before the Professional Standards and Practices Commission (Commission) on the Department of Education’s (Department) Motion for Entry of Order requesting that the Commission issue an order approving the parties’ Settlement Agreement and directing the Department to issue a public reprimand to Sarah Opalinski (Respondent) in settlement of an educator misconduct complaint filed against her.

Background

Respondent holds an Instructional I certificate in the areas of Biology 7-12 and Elementary K-6. At all times relevant, Respondent was employed by the Southmoreland School District as a teacher. On July 5, 2018, an educator misconduct complaint was filed with the Department alleging that while Respondent was acting as a school chaperone, students observed her exchanging unprofessional text messages with a paramour. As required by the Educator Discipline Act (Act), the Department provided written notice to Respondent of the legal sufficiency of the complaint and commenced an investigation. Following its investigation, the Department determined that there was probable cause to believe that grounds for discipline existed. See 24 P.S. § 2070.9(e).

Settlement Agreement

A teaching certificate is a constitutionally protected property right entitled to due process protection. Bowalick v. Dep't of Educ., 840 A.2d 519, 522 (Pa. Cmwlth. 2003). Generally, an accused educator is entitled to a full evidentiary hearing conducted in accordance with the Act and the Administrative Agency Law. 24 P.S. §§ 2070.13 (relating to hearing) and 2070.18(a) (relating to commission proceedings and procedures). In place of a hearing, a charge of misconduct can be resolved in a written settlement agreement. 24 P.S. § 2070.12 (relating to department action after investigation). When approved by the Commission, a settlement agreement has the same effect as an order issued following an administrative adjudication. See Kenney v. Bureau of Prof'l & Occupational Affairs, 203 A.3d 421 (Pa. Cmwlth. 2019).

The parties have entered into a written Settlement Agreement, whereby they agree to resolve all matters contained in the complaint with the imposition of a public reprimand. The Settlement Agreement was presented to the Commission for approval at its regularly scheduled meeting on March 18, 2024. After careful consideration, the Commission finds that the agreement is fair, reasonable, and in the best interests of the parties and the public and enters the following:

Order

AND NOW, this 27th day of March 2024, upon consideration of the Department's Motion for Entry of Order, it is hereby Ordered:

1. The Motion is Granted, and the Settlement Agreement is approved.

2. The Commission incorporates the terms of the Settlement Agreement into this Order.
3. Consistent with the terms of the Settlement Agreement, the Department is directed to issue a public reprimand to Respondent effective on the date of this Order.
4. The educator misconduct complaint filed against Respondent is resolved.

PROFESSIONAL STANDARDS AND
PRACTICES COMMISSION

By: 

Myron Yoder
Chairperson Pro Tempore



Attest:

Shane F. Crosby
Executive Director

Date Mailed: March 27, 2024