

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

<b>DEPARTMENT OF EDUCATION,</b>	:	
<b>Petitioner,</b>	:	
	:	
<b>v.</b>	:	<b>PSPC DOCKET NO. DI-19-134</b>
	:	
<b>MICHELLE L. COSTAIN,</b>	:	
<b>Respondent.</b>	:	

**MEMORANDUM AND ORDER**

This matter is before the Professional Standards and Practices Commission (“Commission”) upon the Department of Education’s (“Department”) December 23, 2019 Motion for Entry of Order, which seeks approval of Respondent’s Affidavit of Surrender.

Respondent holds an Instructional II Pennsylvania teaching certificate in the areas of Elementary K-6 and Reading Specialist PK-12. Respondent was employed by the Yough School District as a teacher until her resignation on September 8, 2017. On July 26, 2019, the Department filed a Notice of Charges alleging that Respondent engaged in an improper relationship with a male student that included physical and sexual contact, and boundary violations with a female student. The Department also alleged that Respondent filmed herself performing a “peep show” in her classroom, during which she revealed her bare buttocks. On November 9, 2019, Respondent signed an Affidavit agreeing to permanently<sup>1</sup> surrender her educator certification and her employment eligibility. Pursuant to the Act, surrender of a certificate and/or employment eligibility constitutes discipline. 24 P.S. § 2070.1b. The Department has filed the instant Motion requesting that the Commission enter an order accepting Respondent’s Affidavit of Surrender in resolution of the Notice of Charges.

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1. Section 16(b)(2) of the Educator Discipline Act (“Act”) provides that the Commission shall not reinstate a certificate or employment eligibility surrendered for conduct relating to sexual abuse or exploitation as that term is defined in the Act and 23 P.S. § 6303(a). 24 P.S. § 2070.16(b)(2). In her Affidavit of Surrender, Respondent acknowledged that section 16(b)(2) permanently bars her reinstatement as an educator.

Accordingly, we enter the following:

**ORDER**

AND NOW, this 31st day of January 2020, upon consideration of the Motion for Entry of Order filed by the Department of Education, it is hereby ORDERED that the Motion is GRANTED and the educator certification and employment eligibility to serve as a charter or cyber charter school staff member or a contracted educational provider staff member of MICHELLE L. COSTAIN is SURRENDERED in accordance with the foregoing Memorandum and Respondent's Affidavit of Surrender. Pursuant to 24 P.S. § 2070.16(b)(2) the Commission shall not reinstate Respondent's educator certification or employment eligibility. This Order is effective IMMEDIATELY.

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: January 31, 2020