

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

DEPARTMENT OF EDUCATION,	:	
Petitioner,	:	
	:	
v.	:	PSPC DOCKET NO. DI-20-016
	:	
ROBERT HYATT SHANK,	:	
Respondent.	:	

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”). The Motion requests that the Commission accept the surrender of the certificate and employment eligibility of Robert Hyatt Shank (“Respondent”) in resolution of an educator misconduct complaint filed against him. The Commission heard the Motion at its regularly scheduled meeting on May 11, 2020. Respondent was not present. After careful consideration, the Commission enters this Order accepting Respondent’s surrender.

BACKGROUND

Respondent currently holds an Instructional II Pennsylvania teaching certificate in the areas of Comprehensive Science 7-12, Driver Ed-Safe Living 7-12, and Biology 7-12. On March 11, 2014, an educator misconduct was filed with the Department alleging that Respondent engaged in a sexual relationship with a male student while employed as a teacher and coach by the Cumberland Valley School District from 1973-1976. As required by the Educator Discipline Act (“Act”), the Department provided written notice to Respondent of the legal sufficiency of the complaint and of its determination that there was probable cause to believe that grounds for discipline existed. 24 P.S. §

2070.9(e).

On January 26, 2020, Respondent signed an Affidavit agreeing to permanently surrender his certificate and employment eligibility. (Motion for Entry of Order, Ex. 1). On February 6, 2020, 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 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 22nd day of June 2020, upon consideration of the Motion for Entry of Order filed by the Department of Education, it is hereby Ordered:

1. The Motion is granted, and the Commission accepts the surrender of Respondent's Instructional II certificate and eligibility to be employed as a charter or cyber charter school staff member or contracted educational provider staff member.
2. Respondent's Instructional II certificate and his 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. Pursuant to 24 P.S. § 2070.16(b)(2) the Commission shall not reinstate Respondent's certificate or employment eligibility.
6. 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: June 22, 2020