

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

IN RE: PETITION FOR REINSTATEMENT :
OF ERIC F. JACKSON : DOCKET NO. RE-20-004
:

ORDER GRANTING PETITION FOR REINSTATEMENT

This matter is before the Professional Standards and Practices Commission (“Commission”) upon the Application and Petition for Reinstatement of Eric F. Jackson (“Petitioner”), which seeks an order directing the Department of Education (“Department”) to reinstate his Educational Specialist I Certificate in the areas of Elementary & Secondary School Counselor PK-12 and Secondary School Counselor 7-12; his Administrative I Certificate in the area of Principal PK-12; his Instructional I certificate in the area of Social Studies 7-12; and his eligibility to be employed as a charter or cyber charter school staff member or a contracted educational provider staff member pursuant to section 16 of the Educator Discipline Act (“Act”). 24 P.S. § 2070.16. For the reasons set forth below, the Petition is granted.

BACKGROUND

By Memorandum and Order dated November 26, 2019, the Commission granted summary judgment in favor of the Department and directed the Department to revoke Petitioner’s certificates and employment eligibility based upon his conviction for False Reports to Law Enforcement Authorities, a crime of moral turpitude. On September 21, 2020, Petitioner filed an Application and Petition for Reinstatement (“Petition”). He waived his right to a hearing.¹ As required by the Act, the Commission sought the

1. Initially, Petitioner requested a hearing. By correspondence dated February 19, 2021, he withdrew his request for a hearing and requested that the Commission consider the Petition directly at its next meeting.

recommendation of the Department, which filed a response to the Petition on February 24, 2021. The Department does not oppose Petitioner's reinstatement.² In accordance with the Commission's bylaws, the Commission published in the *Pennsylvania Bulletin* a notice of opportunity for hearing, which provided thirty days for the filing of protests or petitions for intervention by interested parties. See 22 Pa. Code § 233.123(c). Having received neither such filings nor a request for hearing, the Commission directly considered the Petition at its regularly scheduled meeting on March 15, 2021.

DISCUSSION

In all reinstatement cases, the applicant bears the burden of establishing that the relief sought is just and proper. 22 Pa. Code § 233.123(e)(2). For purposes of determining whether it is just and proper to lift a suspension or reinstate a certificate, the Commission may consider: (1) the conduct which resulted in discipline; (2) other past conduct of the applicant; (3) the applicant's current attitude about past conduct; (4) rehabilitation efforts and activities; (5) evidence of compliance with any conditions imposed as part of the discipline; (6) references and letters in support of or in opposition to reinstatement. 24 P.S. § 2070.16.

Within this framework, the Commission carefully reviewed the Petition and has determined that reinstatement of Petitioner's certificates and employment eligibility is just and proper.

2. The Commission also sought the recommendation of the Harrisburg School District ("District"), Petitioner's employer at the time of the misconduct. The District did not respond. Therefore, the Commission assumes the District has no position on the Petition. 22 Pa. Code § 233.123(b)(3).

Conduct that resulted in discipline:

On April 20, 2017, Petitioner was criminally convicted of False Reports to Law Enforcement Authorities (M2), 18 Pa.C.S. § 4906(a), in Cumberland County, Pennsylvania. The facts underlying Petitioner's conviction are that, on September 28, 2016, he falsely reported to police that he received a text message and a letter from a woman against whom he had a Temporary Protection from Abuse Order, which prohibited the woman from contacting him. Petitioner was sentenced to twelve (12) months of probation and ordered to pay a fine of \$500.00. His probation was supervised for the purposes of collection only.

On September 20, 2019, the Department filed a Notice of Charges and Motion for Summary Judgment with the Commission, seeking the revocation of Petitioner's certificates and employment eligibility based upon his conviction. On November 26, 2019, the Commission issued a Memorandum and Order granting the Department's Motion for Summary Judgment and directing the Department to revoke Petitioner's certificates and employment eligibility pursuant to 24 P.S. § 2070.9b(a)(2).

Other past conduct:

Petitioner was convicted on several charges related to writing bad checks between 1993-1995 in the Commonwealth of Virginia. In addition, Petitioner pleaded guilty to a summary charge of Retail Theft on April 7, 2014 in Pennsylvania.

Current attitude about past conduct:

The Commission finds that Petitioner has taken responsibility for his past mistakes and learned from them. In his personal statement, Petitioner explains that he was involved in an abusive relationship and that he filed the false police report out of

desperation and concern for his daughter's safety. Petitioner understood, however, that he needed to take responsibility for this lapse in judgment and admitted to police that he lied. He subsequently pleaded guilty to the criminal charges.

Additionally, in connection with a July 12, 2011 application for certification, Petitioner provided an explanation for his guilty pleas to various bad check charges in the early 1990's. He explained that he was 22 years old at the time, had just had a child, and was struggling to provide for his family. He acknowledged that what he did was wrong and expressed remorse and regret for his actions.

Rehabilitative Efforts:

Petitioner successfully completed all the terms of his sentence and has been a law-abiding citizen since September 28, 2016. Petitioner states that he relies on his family, including his 13-year-old daughter, community, and pastor for continued support and guidance and has learned a valuable lesson from his experience. In addition, since the revocation of his certificates, Petitioner has completed two graduate courses, a course on ethics and boundary issues, and a course on awareness and prevention of youth suicide. Petitioner's continued coursework shows his commitment to the profession and to achieving his goals.

References:

Petitioner submitted several letters of support that speak highly of him as an individual and as an educator.

Conclusion:

The Commission has determined that the reinstatement of Petitioner's certificates and employment eligibility is just and proper. Accordingly, we enter the following:

ORDER

AND NOW, this 20th day of April 2021, upon consideration of Petitioner's Application and Petition for Reinstatement, it is hereby ORDERED:

1. The Petition is granted.
2. The Department is directed to reinstate Petitioner's certificates and his eligibility to be employed as a charter or cyber charter school staff member or a contracted educational provider staff member effective on the date of this Order.

PROFESSIONAL STANDARDS AND
PRACTICES COMMISSION

By:



Myron Yoder
Chairperson Pro Tempore



Attest:

Shane F. Crosby
Executive Director

Date Mailed: April 20, 2021