

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

<b>DEPARTMENT OF EDUCATION,</b>	:	
<b>Petitioner,</b>	:	
	:	
	:	
<b>v.</b>	:	<b>PSPC DOCKET NO. DI-21-001</b>
	:	
	:	
<b>JIE TENG,</b>	:	
<b>Respondent.</b>	:	

**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 filed on February 23, 2022. The Motion requests that the Commission issue an order approving the parties’ Settlement Agreement and directing the Department to issue a public supplemental sanction to Jie Teng (“Respondent”) in settlement of a Notice of Charges filed against her.

**BACKGROUND**

Respondent holds an Instructional I certificate in the areas of Elementary K-6, Special Education PK-12, and Mid-Level Mathematics 6-9. Respondent was employed by the Upper Darby School District as a teacher until her resignation on June 13, 2019. The Department initiated disciplinary proceedings against Respondent with the filing of a Notice of Charges on January 14, 2021. The Notice of Charges alleges that Respondent engaged in boundary violations with a student. Respondent filed an answer to the Notice of Charges and requested a hearing. The Commission appointed a hearing officer, and a hearing was scheduled for February 7-9, 2022. The parties

subsequently engaged in settlement negotiations, and the hearing was continued generally pending consideration by the Commission of the parties' agreement.

### 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 Educator Discipline Act ("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.2d 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 supplemental sanction consisting of Respondent's completion, at her own expense, of the NASDTEC Academy course titled "Prevention and Correction: Overview" offered by the National Association of State Directors of Teacher Education and Certification ("NASDTEC").<sup>1</sup> The Settlement Agreement was presented to the Commission for approval at its regularly scheduled meeting on March 21, 2022. After careful

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1. Respondent completed the course on February 10, 2022.

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 1<sup>st</sup> day of April 2022, upon consideration of the Department's Motion for Entry of Order requesting approval of the parties' Settlement Agreement in lieu of further disciplinary proceedings, it is hereby Ordered:

1. The Motion for Entry of Order 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 impose a public supplemental sanction against Respondent effective on the date of this Order.
4. The Notice of Charges filed against Respondent is 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: April 1, 2022