

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

**DEPARTMENT OF EDUCATION,  
Petitioner,**

**v.**

**GREGG A. KOHLHEPP,  
Respondent.**

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**PSPC DOCKET NO. DI-21-036**

**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 July 16, 2021. The Motion requests that the Commission issue an order approving the parties’ Settlement Agreement and directing the Department to revoke the certificate and employment eligibility of Gregg A. Kohlhepp (“Respondent”) in settlement of a Notice of Charges filed against him.

**BACKGROUND**

Respondent holds an Instructional II certificate in the area of English 7-12. At all relevant times, Respondent was employed by the Bellefonte Area School District as an English teacher. The Department initiated disciplinary proceedings against Respondent with the filing of a Notice of Charges on May 6, 2021. The Notice of Charges alleges that Respondent engaged in inappropriate contact with a student.

**SETTLEMENT AGREEMENT**

A teaching certificate is a constitutionally protected property right entitled to due process protection. Bowlick 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 Notice of Charges with the revocation of Respondent's certificate and employment eligibility. The Settlement Agreement was presented to the Commission for approval at its regularly scheduled meeting on July 19, 2021. 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 24<sup>th</sup> day of August 2021, upon consideration of the Motion for Entry of Order filed by the Department of Education 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 revoke Respondent's certificate and his eligibility to be employed as a charter or cyber charter school staff member or contracted educational provider staff member effective on the date of this Order.
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. In accordance with 24 P.S. § 2070.16(b) and the parties' settlement agreement, the Commission shall not reinstate Respondent's certificate and employment eligibility.
6. The Notice of Charges filed against Respondent is resolved.

PROFESSIONAL STANDARDS AND  
PRACTICES COMMISSION

By: 

---

Myron Yoder  
Chairperson Pro Tempore



Attest:

\_\_\_\_\_  
Shane F. Crosby  
Executive Director

Date Mailed: August 24, 2021