

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

DEPARTMENT OF EDUCATION,	:	
Petitioner,	:	
	:	
v.	:	
	:	PSPC DOCKET NO. DI-23-112
ALBERT J. SAYLOR,	:	
Respondent.	:	

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 requesting that the Commission issue an order approving the parties’ Settlement Agreement and directing the Department to suspend the certificate and employment eligibility of Albert J. Saylor (Respondent) in settlement of educator misconduct complaints filed against him.

Background

Respondent holds an Instructional II certificate in the area of English 7-12. Most recently, Respondent was employed by the Abington School District as a teacher. On July 18 and August 24, 2017, educator misconduct complaints were filed with the Department alleging that Respondent operated his vehicle under the influence of alcohol on numerous occasions and failed to apprise his employer and the Department of his arrests and criminal charges. As required by the Educator Discipline Act (Act), the Department provided written notice to Respondent of the legal sufficiency of the complaints and its determination that there was probable cause to believe that grounds for discipline existed. See 24 P.S. § 2070.9(e).

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 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 complaints with the indefinite suspension of Respondent's certificate and employment eligibility. The Settlement Agreement was presented to the Commission for approval at its regularly scheduled meeting on November 6, 2023. 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 22nd day of November 2023, upon consideration of the Department's Motion for Entry of Order, it is hereby Ordered:

1. The Motion 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 suspend Respondent's certificate and 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. To have the suspension lifted, Respondent must apply to the Commission for an order lifting the suspension pursuant to 24 P.S. § 2070.16.
5. 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 until his certificate and employment eligibility are reinstated in accordance with the Act.
6. The educator misconduct complaints filed against Respondent are resolved.

PROFESSIONAL STANDARDS AND
PRACTICES COMMISSION

By:



Myron Yoder
Chairperson Pro Tempore



Attest: _____
Shane F. Crosby
Executive Director

Date Mailed: November 22, 2023